

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, the 21st October 1947.

The House met in the Council Chamber, Fort St. George, at eleven of the clock, Mr. President (THE HON. SRI R. B. RAMAKRISHNA RAJU) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Allotment of quotas of iron, steel, cement and coal to this Province.

* 88 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Industries be pleased to state—

(a) whether the Government of India have been allotting quotas of iron and steel and cement and coal to this Province;

(b) if so, what the quotas have been during 1944-45, 1945-46, 1946-47 and 1947-48;

(c) how these quotas have been distributed and for what purposes;

(d) what the arrangements for distribution of these quotas have been; and

(e) whether the Government have under consideration schemes for improved methods of distribution, and if so, what they are?

THE HON. SRI H. SITARAMA REDDI:—

Iron and Steel.

“(a) Prior to 1947 no separate quota of iron and steel was allotted to this Province.

“(b) The quota allotted to this Province for 1947 is 31,000 tons.

“(c) The Provincial quota is intended for the general public including small manufacturers of consumer goods. The main purposes for which the quota is utilized include agricultural purposes, construction of public utility and private residential buildings and small industrial establishments and manufacturers of consumer goods. This quota is made available through registered stock-holders and all releases are made on permits issued by the Provincial Steel Controller (Director of Industries and Commerce) in favour of the consumers.

“(d) Prior to the allotment of a separate quota for this Province in 1947 the distribution of steel was effected by the Iron and Steel Controller, Calcutta, with the assistance of the Regional Deputy Iron and Steel Controller at Madras.

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- " (e) A scheme for the reorganization of distribution of the Provincial quota of iron and steel is under consideration of the Government. It is also proposed that 30 per cent of the Provincial quota should be earmarked for agricultural purposes.

Coal.

- " (a) Yes.
- " (b) During 1944 the quota of coal and coke allotted was 67 wagons per month. This was increased to 75 wagons per month in March 1945. From October 1945 an additional quantity of 10 wagons of by-product hard coke was also sanctioned for the use of foundries and engineering works. In December 1945 the total quota was further increased to 150 wagons per month (including 10 wagons per month of by-product hard coke). With the transfer to the Provincial Coal Controller of work relating to distribution of coal to tobacco-curing concerns and re-drying factories from the 1946-47 seasons, a quota of 100,000 tons for tobacco-curing and 8,080 tons for re-drying factories was allotted to this Province. In addition to the above supplies a separate quota of 100 wagons of slack coal per month for brick manufacturing concerns was allotted in October 1945 and later increased to 166 wagons from December 1945 until June 1947 when it was reduced to 76 wagons per month. The quota for the 1947-48 season has not yet been intimated.
- " (c) & (d) Till March 1946, allotments were made to the various industrial establishments according to their requirements. Since then, fixed allotments have been made to 28 classes of industries attached to the Provincial Coal Controller as in the Statement I placed on the table of the House. A separate quantity is set apart for the Provincial Depot-holders (Class Z. MS.) as shown in the Statement I for distribution to small-scale industries in accordance with permits issued by the Provincial Coal Controller. To avoid complaints and to ensure equitable distribution of coal to tobacco-curing and re-drying factories, Inspectors have been appointed in four centres, Chirala, Ongole, Guntur and Bezwada. Each Inspector is assisted by an Advisory Committee consisting of five members nominated from among the tobacco-curing ryots and releases of coal are effected and permits issued to the ryots by the Inspector on the recommendations of the Advisory Committee. The number of dealers for retail distribution has also been increased from 3 to 5.
- " (e) With a view to actively associate the tobacco-curiers with the distribution of coal it is proposed by the Director of Industries and Commerce to enlist representative tobacco ryots' associations as dealers for distribution of coal for tobacco-curing purposes whenever they are in a position to engage in the trade.

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Cement.

“(a) The Government of India have been allotting a monthly quota of cement to this Province which covers the jurisdictions of the Regional Honorary Cement Advisers, Coimbatore and Madura.

	TONS.
“(b) 1944-45 (November 1944 to March 1945).	41,590
1945-46	2,55,570
1946-47	3,69,520
1947-48 (April & May 1947)	54,001

“(c) A statement showing the distribution of the quotas of cement is placed on the table of House.

“(d) The demands are divided for purposes of convenience into two categories, viz., small and large. Small quantities generally speaking range from a bag to a couple of tons while large quantities constitute—10 tons and above or wagon loads. In order to meet the numerous demands of the public for small quantities, a bulk allotment is made to the suppliers, viz., The Cement Marketing Company of India, Limited, Coimbatore, Madras and Bangalore, and the Andhra Cement Company, Limited, Bezwada. They in turn, distribute the monthly allotments among their several stockists as early as possible, and in proportion to the importance of and demand at the various centres. The stockists distribute the stocks they receive to the small consumers in an equitable manner at rates and under a system approved by the Government of India.

“In the case of large demands, authorizations are issued on suppliers who arrange despatches from the factory direct, generally in the order of dates of booking, except those which carry special priority.

“(e) The question of this Government's undertaking distribution is under correspondence with the Government of India.”

SRI R. SURYANARAYANA RAO:—“May I know, Sir, from the Hon. Minister whether allotments for big constructions such as newspaper offices are given from the provincial quota or from the special quotas of the Government of India?”

THE HON. SRI H. SITARAMA REDDI:—“On the 8th of this month, the Government of India have announced that in the quotas that are usually allotted for industries, newspapers have also been included for the year 1948. There is no allotment for such offices from the Provincial Government and if any such allotment is given, it is purely at the discretion of the Provincial Government.”

SRI R. SURYANARAYANA RAO:—“May I take it, Sir, that if applications are made for such large allotments, they will not be given in future from the provincial quotas which are intended for small consumers and agriculturists?”

THE HON. SRI H. SITARAMA REDDI:—“Yes, Sir. Such applications will be forwarded to the Government of India.”

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SRI R. SURYANARAYANA RAO :—" May I know, Sir, whether the local Controller and his assistants have any knowledge of engineering to assess correctly the value of the requirements of the applicants? "

THE HON. SRI H. SITARAMA REDDI :—" Usually the local controllers assess the requirements by the plans and estimates that are usually submitted. If any person wants to build a house and if he submits the plans and estimates for that building, the officer will have to depend upon those plans and estimates which are prepared by proper engineers, and then he makes the allotments according to the availability of the material."

SRI R. SURYANARAYANA RAO :—" May I ask the Government, whether they have considered the question of decentralising the distribution in view of the policy that they have already announced, in order to ensure quick disposal of these applications? "

THE HON. SRI H. SITARAMA REDDI :—" There are certain difficulties in the way of decentralization because the Steel Controller recognizes one person known as the Provincial Steel Officer. There are also certain other difficulties. Arrangements are made in the office of the Director of Industries to see that applications are dealt with as expeditiously as possible and I may give for the information of the hon. Member, that everyday at least 500 permits are issued by the office of the Director of Industries for the last ten days."

SRI R. SURYANARAYANA RAO :—" May I know what steps are taken by the Government to see that the allotted quota is of the material by selling it in the black-market."

THE HON. SRI H. SITARAMA REDDI :—" When any quota is given, it is given on the basis that it will be used for the purpose for which it is asked for, and if any cases are brought to the notice of the Government that it is being used for a purpose other than the purpose for which it is intended, suitable action will be taken by the Government."

SRI R. SURYANARAYANA RAO :—" Are the Government aware that if the required quantity is not allotted at one time, some times, the allottees are forced to abandon the works for which they have made applications and they make profitable use of the material by selling it in the black-market."

THE HON. SRI H. SITARAMA REDDI :—" If it is brought to the notice of the Government that a particular allottee is black-marketing in the quota that has been allotted to him, Government will certainly prosecute him or otherwise take such action as is necessary against him."

SRI B. BHIMA RAO :—" Will the Government consider the appointment of some agency to check whether the material supplied has been utilized for the purpose for which it has been applied for?"

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THE HON. SRI H. SITARAMA REDDI :—" I may inform the hon. Member, that Government will not appoint any staff for this purpose; after all, there may be only a few cases and it may not be worth while for the Government to appoint various officers for this checking business."

DR. SIR A. LAKSHMANASWAMI MUDALIYAR :—" May I ask the Government, Sir, whether the requirements of steel and cement for the building of colleges by the University or other colleges are provided from the provincial quota or from the Government of India quota? "

THE HON. SRI H. SITARAMA REDDI :—" My own feeling is that it does not come under industry. So far as I know, there are no specific cases like that. The Provincial Government gives quotas for the purpose of building small schools, hospitals and some other institutions, but for large constructions like the University buildings, if application is made to the Government, I would take it up with the Government of India to see that a special allotment is made for such constructions."

DR. SIR A. LAKSHMANASWAMI MUDALIYAR :—" Thank you, Sir."

SRI R. SURYANARAYANA RAO :—" When an application is made for a certain quota of iron and steel, Sir, the whole quota is not given. It is divided into four quarters and if in the succeeding quarters, the remaining quantity is not given, what is the allottee to do except to abandon the work and sell the steel given to him? I do not say that he is blackmarketing. But, unless the full quota is given, he cannot complete the work. Therefore, may I suggest to the Government to examine this question and to see that, when application for a certain quota is made and when the officer is satisfied that the quota is required for the completion of the work and that the work is essential, the full allotment is made, so that the work may be completed within the required time? "

THE HON. SRI H. SITARAMA REDDI :—" Sir, the suggestion is very good. But, there are difficulties. Only small quotas will be available and out of that lot, the officer has to meet the demands of the various people. People who undertake the construction will have known that it is very difficult to get iron and steel and so, they must plan their constructions in such a way that they may wait for the next allotment that comes in the next quarter."

[* 89 to 95 Q. were put and answered on the 20th October 1947.]

Alleged corruption charge against the Central Nazir of the District Court, Chingleput.

* 96 Q.—SRI C. N. MUTHURANGA MUDALIYAR: Will the Hon. the Home Minister be pleased to state—

(a) whether a petition alleging corruption against the Central Nazir of the District Court, Chingleput, was received in the Home Department on 8th April 1947;

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(b) if so, what action has been taken on the same;

(c) whether it is a fact that the Central Nazir is one of the immediate subordinates of the District Judge;

(d) whether this petition was sent to the Special Officer of the Anti-Corruption department;

(e) what are the findings of the District Judge in the enquiry and whether the Central Nazir admitted having received the silver articles;

(f) whether it is a fact that the informant, another subordinate of the District Judge, is being proceeded against on the ground of alleged false complaint; and

(g) whether the Government propose to send for the records in the case, and examine the position and pass suitable orders?

THE HON. SRI M. BHAKTAVATSALAM (on behalf of the Hon. Dr. P. Subbarayan):—“(a) No petition alleging corruption against the Central Nazir, District Court, Chingleput, was received in the Home Department on 8th April 1947 but a petition, dated 7th June 1947, was received.

“(b) & (d) The petition, dated 7th June 1947, was transferred to the High Court for disposal.

“(c) The answer is in the affirmative.

“(e), (f) & (g) The Government have called for the necessary information and the connected records.”

SRI C. N. MUTHURANGA MUDALIYAR:—“Are the Government aware that the Nazir has admitted that he has taken some valuable silver vessels from the subordinate process-servers?”

THE HON. SRI M. BHAKTAVATSALAM:—“The Government have yet no information but we have called for the same.”

Labour employed on plantations.

* 97 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Food be pleased to state—

(a) whether it is a fact that the labour force employed on the plantations in the province has been organized into ‘Trade Unions’ and if so, what the number of such Trade Unions and their membership is;

(b) whether the staff other than labour employed on the estates are eligible to join these trade unions;

(c) whether the Estate Staff Association have applied for the registration of their organizations under the Trade Unions Act and if so, whether they have been registered;

(d) whether the Estate Staff Union (Anamalais) applied for registration under the Trade Unions Act and if so, when the application was made and when it was registered; and

(e) whether representations have been received requesting Government to appoint a committee to enquire into the grievances of the estate staffs and if so, what the decision of Government in the matter is?

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THE HON. DR. T. S. S. RAJAN :—“(a) Yes. Sir, two Unions have been organized, viz., The Nilgiris District Estate Workers' Union, Ootacamund, and the Anamalai Estates Labour Welfare Union, Valparai. The former had a membership of 2,555 at the time of registration, viz., 1st July 1947. The application of the Anamalai Estates Labour Welfare Union, Valparai, has been returned to them by the Registrar of Trade Unions for rectifying certain defects.

“(b) Yes. Sir.

“(c) Yes. Sir. The Estates Staff Union of South India, Glenview, Coonoor, applied for registration under the Indian Trade Unions Act and it was registered on 24th March 1947.

“(d) No. Sir.

“(e) The Estate Staff Union and Estate Staff Association, Anamalais and the National Plantation Labour Union, Valparai, asked for the appointment of a Board of Arbitration to enquire into and remedy the grievances of estate workers. As the Rege Committee has already made a comprehensive survey of plantation labour and as two special Labour Welfare Officers have been appointed to look after their interests, it is not considered necessary to institute a fresh enquiry in this matter.”

SRI P. R. K. SARMA :—“May I know, Sir, by whom these Welfare Officers have been appointed, whether they have been appointed by the Government or by the employers?”

THE HON. DR. T. S. S. RAJAN :—“They have been appointed by the Government.”

SRI P. R. K. SARMA :—“May I know whether these Welfare Officers are empowered to enquire into the conditions of labour and to make recommendations to the Government?”

THE HON. DR. T. S. S. RAJAN :—“They have been empowered to make recommendations.”

SRI P. R. K. SARMA :—“Do the Government propose to take any action on those recommendations?”

THE HON. DR. T. S. S. RAJAN :—“It is open to the Welfare Officer to make recommendations to the Government and bring to the notice of Government conditions of labour employed on the plantations and if it is necessary, Government will certainly look into the matter.”

SRI P. R. K. SARMA :—“May I ask the Government, Sir, whether these Welfare Officers work under the supervision of the Commissioner of Labour or the employers concerned?”

THE HON. DR. T. S. S. RAJAN :—“They are working under the Commissioner of Labour.”

Ban on rice mills.

* 98 Q.—**SRI R. SURYANARAYANA RAO :** Will the Hon. the Minister for Food be pleased to state—

(a) whether it is a fact that the Madras Government have banned the starting of new rice mills;

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(b) if so, whether the attention of the Government is drawn to the fact that this action confers on the existing mill owners a monopoly of milling rice and that the open competition in the field is thus restricted;

(c) whether the agricultural labour essential for food production is being diverted for milling rice; and

(d) whether the Government have considered the hardship caused by this order to those persons who wish to have hulling as a subsidiary occupation when they instal engines or pumping water for oil mills?

THE HON. DR. T. S. S. RAJAN :—“(a) to (d).—It is a fact that with a view to encourage the handpounding of paddy and the consumption of handpounded rice, the Government prohibited in January 1947 the issue of licences for the opening of new rice mills. At the time the order was issued, the Government had before them a proposal to manufacture and supply a large number of Japanese type of hullers called “Rama Hullers” for the purpose of converting paddy into rice as these hullers produced rice comparable in quality with handpounded rice. It is however since found that the cost of manufacture of these hullers is high and that they are of doubtful economic value. The proposal to manufacture these hullers has therefore been given up. It has been represented to the Government that in the absence of facilities for manufacturing handpounded rice on the required scale, the ban on the licensing of new mills operated as a great hardship as handpounding was not an economical proposition owing to the scarcity of labour and high wages and as the number of existing mills was not sufficient to cope speedily with the work of conversion into rice. In view of these representations the Government have since cancelled the orders in respect of areas of the Province outside the firkas selected for intensive Rural reconstruction. The ban will continue to be in force in the selected firkas till the end of December 1947 when the matter will be considered again.”

11-15
a.m.

SRI C. N. MUTHURANGA MUDALIYAR :—“What is the idea of the Government with regard to manufacturing Japanese hullers and substituting them for the polishing machines?”

THE HON. DR. T. S. S. RAJAN :—“The hullers are not intended for polishing, Sir. The name Japanese huller is given because the model is after a Japanese type but there are hullers called Rama hullers. The name has been given to it after the man who invented it and they were made in the Engineering Workshops here.”

SRI C. N. MUTHURANGA MUDALIYAR :—“Are these hullers being manufactured now, Sir?”

THE HON. DR. T. S. S. RAJAN :—“Because it was not an economic proposition Government had to give up its manufacture.”

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SRI C. N. MUTHURANGA MUDALIYAR :—“ Sir, is it not possible to give facilities for this type of hullers and get them substituted for the foreign hullers that we are getting? ”

THE HON. DR. T. S. S. RAJAN :—“ This question does not arise for the reason that these hullers that are now being in use are very different from the Rama hullers that was designed. It was a small machine worked by two people and the turnover was very small. They were originally intended to be introduced in villages but the cost of production was so very high that it was not possible to continue with it.”

SRI C. N. MUTHURANGA MUDALIYAR :—“ Are the Government aware that big power worked machines are also manufactured in the Government workshops? ”

THE HON. DR. T. S. S. RAJAN :—“ No, Sir. The Government had to give up this work of manufacturing power driven machines since the scheme did not work.”

SRI B. BHIMA RAO :—“ Due to the shortage of labour even in those selected firka areas will the Government issue instructions to the Collectors of the district to use their discretion in the matter of granting these licences? ”

THE HON. DR. T. S. S. RAJAN :—“ The idea of the Government is to introduce handpounded rice because it is feasible that such handpounded rice can be produced in the villages concerned. That is why firkas were selected and were asked to use handpounded rice. The Government therefore thought it unnecessary to introduce big hullers and this experiment will continue for three months more after which the whole thing will be reviewed.”

* 99 Q.—

THE HON. DR. T. S. S. RAJAN :—“ I am afraid the answer is rather long and if you would permit, Sir, I would like to have this typed and circulated on the next day of the sitting of the Council.”

(Postponed.)

Purchase of gunny bags by the Civil Supplies Department.

* 100 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Food be pleased to state—

(a) whether the Civil Supplies Department purchases a large quantity of empty gunnies of various sizes;

(b) if the answer to (a) is in the affirmative, what the quantity purchased till now is;

(c) whether tenders are called for the supply of gunnies;

(d) whether a firm in Vizagapatam was asked to supply a large number of gunnies without calling for tenders, and, if so, what the quantity and cost of these gunnies were; and

(e) What considerations influenced the Government to give up the tender system? ”

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THE HON. DR. T. S. S. RAJAN :—“(a) Yes.

“(b) The Civil Supplies Department has entered into a contract with the Chittavalasa and Nellimarla Jute Mills, Vizagapatam, who had undertaken to supply 9,200 bales of new gunnies of 37 inches by 24 inches size, each bale containing 400 gunnies. The prices of these gunnies are as follows :—

Quantity.	Price.
4,600 bales	.. Rs. 74-15-2 per 100 gunnies (February—March delivery).
4,600 bales	.. Rs. 73-5-8 per 100 gunnies (April—May delivery).

In order to supplement the stocks of new gunnies the Government sanctioned a scheme for the recovery of second-hand gunnies which might be used again in the distribution of foodgrains. Under this scheme the Civil Supplies Department recovered from the retailers and major establishments in Madras City about 27,000 used gunnies. This scheme has since been wound up.

“(c) Tenders for the supply of gunnies have not been called for by the Civil Supplies Department so far. As regards the contract for the purchase of new gunnies referred to in the answer to clause (b) the Civil Supplies Department entered into a direct contract with the mills in question as they were the biggest producers of gunnies in the Province and as the terms offered by them were reasonable.

“(d) The Civil Supplies Department did not place any order with any firm in Vizagapatam for the supply of gunnies other than the contract mentioned in the answer to clause (b).

“(e) The answer to this clause has already been furnished in the reply to clause (c).”

Number of people jailed for prohibition offences.

* 101 Q.—ABDUL LATIF FAROOKHI SAHIB BAHADUR : Will the Hon. the Minister for Prohibition be pleased to state—

(a) the number of people jailed for prohibition offences; and

(b) their daily avocations and trades and the percentage of ryots and agricultural labourers among them?

THE HON. MR. DANIEL THOMAS :—“(a) & (b) The information required by the hon. Member is laid on the table of the House.”

Housing Societies.

* 102 Q.—SRI B. NARAYANASWAMI NAYUDU : Will the Hon. the Minister for Prohibition be pleased to state—

(a) how many Housing Societies have been established;

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(b) the names of the districts in which such societies were established;

(c) how many houses have been built;

(d) if not, what materials, such as brick, cement, etc., have at least been procured;

(e) whether estimates at least have been made; and

(f) what steps have been taken or are being contemplated to secure such materials?

THE HON. MR. DANIEL THOMAS :—“(a) The following five Co-operative Housing Societies have been newly organized, viz., (1) Madras Co-operative House Construction Society, Ltd., (2) Katpadi Co-operative Township, (3) Tanjore Co-operative House Construction Society, (4) Palamcottah Co-operative House Construction Society, and (5) Trichinopoly Co-operative House Construction Society.

“(b) Madras, North Arcot, Tanjore, Tinnevely and Trichinopoly districts.

“(c) No houses have been built so far.

“(d) Materials have not yet been purchased; but arrangements have been made to procure them.

“(e) Yes.

“(f) 7,000 tons of timber have already been ordered to be reserved for co-operative housing schemes from the Madras Government forests. The question of obtaining teak from Burma is also under consideration. As regards iron and steel, the Government of India were asked for an estimated annual requirement of 8,000 tons for housing purposes but they have expressed their inability to supply this quota during the current year in view of the fall in production. They have therefore been requested to make a special allotment, of 4,000 tons from out of the reserve at their disposal for Development Schemes sponsored by Governments. Wherever possible suitable military surplus stores are also reserved for these schemes. Pending the allotment of a special quota by the Government of India, 20 per cent of the district quota of iron and steel allotted from the provincial quota after reserving the requirements needed for agriculture has been earmarked for distribution to co-operative housing societies. The Cement Marketing Association of India are supplying cement on a priority basis to co-operative house-building societies on the recommendation of the Registrar of Co-operative Societies.”

SRI B. NARAYANASWAMI NAYUDU :—“How much money has been collected by these societies, Sir, by way of share capital? I mean by the five societies.”

THE HON. MR. DANIEL THOMAS :—“I shall ask for notice, Sir.”

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SRI B. NARAYANASWAMI NAYUDU :—" May I inform the Government that it is not advisable to go on collecting money and keep it in the safe without being made use of."

THE HON. MR. DANIEL THOMAS :—" I protest against this suggestion, Sir."

SRI B. NARAYANASWAMI NAYUDU :—" Why protest about it? There is no cement, no brick, nor any other material. The money can be used after these are gathered."

THE HON. MR. DANIEL THOMAS :—" I would say Sir, that the implication in the question is absolutely unwarranted. So far as Madras is concerned, we have progressed to a very great extent and we have acquired a site of 136 acres. We have also arranged for indenting the materials from the military and various other sources. An Engineer has been appointed, plans have been made and schemes have been worked out and allotments are being made. We hope to have the materials collected by the end of December and the houses constructed by the end of next year. Therefore, Sir, the implication of the hon. Member in his question is absolutely unwarranted."

SRI R. SURYANARAYANA RAO :—" What is the price that was paid for these 136 acres that were secured by the Government?"

THE HON. MR. DANIEL THOMAS :—" Sir, it works at somewhere about Rs. 12,000 an acre whereas a mile away in Mysore they are making Rs. 60,000 an acre."

SRI R. SURYANARAYANA RAO :—" May I know, Sir, for what classes of persons these houses are going to be built?"

THE HON. MR. DANIEL THOMAS :—" For the middle classes and the lower middle classes."

SRI P. R. K. SARMA :—" May I know whether under the schemes of those Housing Co-operative Societies there are any plans for the development of houses for industrial workers?"

THE HON. MR. DANIEL THOMAS :—" I am sorry to say that these schemes do not cover houses for industrial workers. As I have already said we are awaiting the report of the Housing Committee of which the hon. Member Sri R. Suryanarayana Rao is a very efficient member."

SRI P. R. K. SARMA :—" In view of the answer already given by the Hon. Minister that the major includes the minor and in view of the fact that houses are being constructed for the higher classes and the middle classes, why not include also the working classes?"

THE HON. MR. DANIEL THOMAS :—" The position so far as the co-operative societies are concerned is that the entire cost of the scheme should be borne by the parties themselves. Sir, in the case of industrial labour Government must subsidize to a certain extent and we are awaiting the Housing Committee's report."

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SRI B. BHIMA RAO :—“ What happened to the application made by the Bellary Housing Committee for the establishment of these housing societies? ”

THE HON. MR. DANIEL THOMAS :—“ I think the hon. Member and myself went round Bellary and we thought Bellary is in a very happy position so far as housing is concerned. It is advantageously situated. Therefore, the scheme will be taken up very quickly and something will be done there.”

Instructions from Central Road Traffic Board to the Chingleput District Traffic Board to omit certain items in the agenda.

* 103 Q.—SRI C. N. MUTHURANGA MUDALIAR : Will the Hon. the Minister for Prohibition be pleased to state—

(a) whether it is a fact that the Central Road Traffic Board month after month issue instructions to the Chingleput District Traffic Board just when it begins its sittings to postpone some of the items in the agenda;

(b) whether such procedure does not interfere with the normal work of the Board;

(c) whether it is a fact that this continued adjournment greatly inconveniences the concerned applicants for routes and causes loss to them;

(d) whether it is the policy of the Government to take into consideration the interest of the small bus owners in the district as much as that of the Madras City fleet owners;

(e) whether the Government propose to give consideration to the interests of the travelling public more than that of the fleet owners; and

(f) whether the Government propose to issue orders to permit the small bus owners who have applied for routes and who have got their buses ready, to run on the roads till nationalization of transport by Government is taken up on those routes?

THE HON. MR. DANIEL THOMAS :—“ (a) It is not correct to say that the Central Road Traffic Board issues month after month instructions to the Road Traffic Board, Chingleput, to postpone consideration of some of the items of business on the agenda of the latter. In July and August 1947 consideration by the Road Traffic Board, Chingleput, of subjects relating to the grant of permits for new routes touching Madras was stayed by the Central Road Traffic Board as the question of reservation of these routes for operators in the Madras City, who would be thrown out of business on account of the nationalization scheme, was then under consideration.

“ (b) The answer is in the negative. Compliance with the directions of the Central Road Traffic Board should be taken as part of the normal work of the Board.

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“(c) The action taken was in the public interest. But the policy of the Government is that such directions for stay should be avoided as far as possible.

“(d) The answer is in the affirmative.

“(e) It has always been the policy of Government to give greater consideration to the interests of the travelling public than to those of the fleet owners.

“(f) Government have already issued orders that the claims of existing operators as well as new applicants should be duly considered and the best operator chosen pending the nationalization of bus transport.”

SRI C. N. MUTHURANGA MUDALIYAR :—“ Is it the policy of the Government to encourage the fleet owners of Madras in preference to small bus owners of the district? ”

THE HON. MR. DANIEL THOMAS :—“ Government have issued orders to these fleet owners also that they should apply for routes and each application will be decided on its merits.”

SRI C. N. MUTHURANGA MUDALIYAR :—“ Is it the policy of the Government that the poor bus owners of the district should be ignored in preference to the fleet owners? ”

THE HON. MR. DANIEL THOMAS :—“ No, Sir.”

SRI R. SURYANARAYANA RAO :—“ May I know, Sir, whether the Central Road Traffic Board is not an appellate body over the decisions of the District Traffic Board? ”

THE HON. MR. DANIEL THOMAS :—“ In certain matters, Sir, it is so.”

SRI R. SURYANARAYANA RAO :—“ Is it right, Sir, to give directions being an appellate authority to the District Board how they should conduct their proceedings, what items to dispose of and what items to keep pending? ”

THE HON. MR. DANIEL THOMAS :—“ It is very well known, Sir, that every appellate authority has a right of staying the proceedings of the lower courts.”

SRI R. SURYANARAYANA RAO :—“ Was there any application made and this was asked to be kept pending by the Central Road Traffic Board? ”

THE HON. MR. DANIEL THOMAS :—“ Sir, the position is this. For various routes applications were made by bus operators in Chingleput and it came up before the Road Traffic Board and at the same time applications were made by the Madras operators that they should be given preference and the question was pending consideration with Central Road Traffic Board and the Government and therefore it was thought desirable to stop the proceeding of the Road Traffic Board.”

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SRI C. N. MUTHURANGA MUDALIAR :—“ Is it not a fact, Sir, that the Central Road Traffic Board received a number of complaints from the applicants of the district? ”

THE HON. MR. DANIEL THOMAS :—“ Sir, the Government have made it absolutely clear that so far as the allotment of routes is concerned, all will be treated in the same manner, i.e., the fleet owners of the city, the small bus owners and others and each application will be decided on its merit and the best operator will be selected.”

SRI C. N. MUTHURANGA MUDALIYAR :—“ Is it not a fact, Sir, that the fleet owners were encouraged during the Advisers' regime and the Congress Government that followed it changed the policy of the Government? ”

THE HON. MR. DANIEL THOMAS :—“ Yes, Sir, we have changed.”

Sugar mills in the Province.

* 104 Q.—SRI P. VIRABHADRASWAMI: Will the Hon. the Minister for Industries be pleased to state—

(a) the number of sugar mills in the Province; where they are; what their capacity is;

(b) whether the Government have received applications for permission to start new factories;

(c) if the answer is in the affirmative, the names of the applicants with their addresses;

(d) whether the Government propose to take shares in the new factories that may be started; and

(e) whether the Government propose to start any sugar factories themselves?

THE HON. SRI H. SITARAMA REDDI :—“ (a) There are 14 sugar mills existing at present in this Province. The Government have permitted the starting of nine new sugar factories of a total cane crushing capacity of 4,700 tons and the expansion of three existing factories by 1,300 tons. A statement^a showing the location of existing factories, their capacities and the expansion permitted and the location of new factories and their capacities is laid on the table of the House.

“ (b) Yes.

“ (c) A list showing the names of the applicants and their addresses is also placed on the table of the House.

“ (d) and (e) A committee has been constituted to advice the Government on the nature and extent of control which should be exercised over industries. The Committee has submitted a preliminary report. The report has been published for eliciting public opinion.”

SRI P. VIRABHADRASWAMI :—“ Have the firms who were granted permission started construction work? ”

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THE HON. SRI H. SITARAMA REDDI :—" I have no information on the point now."

SRI R. SURYANARAYANA RAO :—" From the list, I see that the capacity of the mills varies from 450 tons to 600 tons; may I know if the Government are aware that 809 tons is the only economic unit? "

THE HON. SRI H. SITARAMA REDDI :—" I would like to have notice."

Handlooms in the Bellary district.

* 105 Q.—SRI B. BHIMA RAO : Will the Hon. the Minister for Industries be pleased to state—

(a) the number of handlooms in each of the main centres of handloom cloth production in Bellary district and the quota of yarn supplied to each centre during the years 1944, 1945 and 1946, and the half year ending with 30th June 1947;

(b) how many looms were actually worked and how many were bogus looms in each centre; that is, looms not worked but in respect of which yarn has been supplied;

(c) whether the authorities concerned have taken any action to find out the extent of bogus looms in each centre and if so, the result thereof;

(d) whether any action has been taken against the persons who took supplies of yarn in respect of bogus looms;

(e) whether the authorities concerned have taken any action to satisfy themselves that the necessary quantity of handloom cloth has been manufactured corresponding to the quantity of yarn supplied, and if so, whether the quantity of handloom cloth has been sold in the market; and if so, the quantity of handloom cloth manufactured and sold in the district during each of the years referred to in clause (a); and

(f) whether the authorities have taken necessary action in pursuance of Handloom Cloth Control Order; and if not, why not?

THE HON. SRI H. SITARAMA REDDI :—" (a) Statements * showing the number of looms other than those in the co-operative societies in each of the centres in Bellary district and the quota of yarn supplied to each centre during the period from the 1st January to the 30th June 1947 have been placed on the table of the House. There are 2,226 looms in the co-operative fold. Information regarding the quota of yarn supplied to each centre during the years 1944, 1945 and 1946 is not available.

" (b) It is a fact that there are many bogus looms in each centre but their exact number is not known.

" (c) The Collector and his subordinates make surprise inspections and detect bogus looms. The Presidents of the Yarn Advisory Committees also detect bogus looms. The local Yarn

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Inspection Sub-Committees and the Ration Advisory Committees have been asked to take a fresh census of all active looms in each village. When this is done, all the bogus looms will be eliminated.

"(d) In cases where yarn ration is drawn by independent or master weavers for bogus looms, the yarn ration cards for the bogus looms are cancelled and cards for other looms, if any, owned by them are either cancelled or the supply of yarn on them is suspended for some time. The licences of the master weavers to deal in cloth are also cancelled.

"(e) & (f) At present there is no machinery to ensure that all the yarn supplied to producers is converted into cloth by them and not disposed of otherwise. The Madras Handloom Cloth (Control) Order, 1947, already promulgated by the Government contemplates the creation of such a machinery. Proposals for bringing into existence as quickly as possible the machinery are under the consideration of the Government."

SRI B. BHIMA RAO :—"Are the Government aware that 500 bogus looms cards have been recovered by the present Textile Officer of Bellary and that these had been granted by his predecessor?"

THE HON. SRI H. SITARAMA REDDI :—"I have some information about some of the bogus looms that have been detected; but I cannot say whether 500 bogus looms had been detected; but I take the information from the hon. Member."

SRI B. BHIMA RAO :—"In respect of the issue of cards for these looms, is any action proposed to be taken against the officer who granted them and those that took them?"

THE HON. SRI H. SITARAMA REDDI :—"I have indicated in my answer to clause (d) that whenever such cases are found out their cards are cancelled and no yarn is supplied to them. We have also informed the officers of the department that by drawing yarn on a card which is proved to be intended for bogus looms, the person will make himself liable to be criminally prosecuted."

SRI R. SURYANARAYANA RAO :—"May I have an assurance from the Hon. Minister that expeditious steps will be adopted to trace bogus looms as soon as possible?"

THE HON. SRI H. SITARAMA REDDI :—"I have already stated that it all depends upon the active co-operation of the various advisory committees that have been constituted in the various parts of the Province."

Removal of textile machinery to places outside India.

* 106 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Industries be pleased to state—

(a) whether it is a fact that owing to continued labour troubles some textile mills in the Province are arranging to shift the textile machinery to places outside India; and

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(b) if the answer to (a) is in the affirmative, what steps Government propose to take to prevent the shifting of such textile machinery?

THE HON. SRI H. SITARAMA REDDI :—“(a) No, Sir.

“(b) Does not arise.”

Production of chlorine in the Province.

* 107 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Industries be pleased to state—

(a) the names of factories responsible for the production of chlorine in the Province;

(b) the quantity produced by each factory;

(c) the normal consumption of chlorine in the Province;

(d) whether the panel on heavy chemicals has fixed any target of production to meet the increasing demand; and

(e) what steps the Government propose to take to step up production of chlorine?

THE HON. SRI H. SITARAMA REDDI :—“(a) The Mettur Chemicals, Limited, is the only factory in the Province producing chlorine.

“(b) This factory produces one ton of chlorine per day.

“(c) Information regarding the total consumption of chlorine in the Province is not available.

“(d) Yes. The panel on heavy chemicals has fixed the five-year target for chlorine at 40,000 tons per annum.

“(e) There is no proposal to start a Government factory for the production of chlorine. The Government have however recommended to the Government of India the floatation of certain companies for the starting of factories for the manufacture of chemicals including chlorine. When these factories are started, the production of chlorine will be speeded up in the Province.”

SRI R. SURYANARAYANA RAO :—“May I know how many factories are proposed to be set up and what is the capacity of each of them?”

THE HON. SRI H. SITARAMA REDDI :—“I would suggest to the hon. Member to put a separate question.”

Takkavi loans.

* 108 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether it is a fact that the Government are charging $5\frac{1}{2}$ per cent as interest on takkavi loans obtained by the land owners and agriculturists under the Land Improvement Loans Act and Agriculturists' Loans Act;

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(b) whether it is a fact that the Government are able to borrow in the open market at less than 3 per cent;

(c) whether the rate of interest charged from the agriculturists is higher than the bank rate and the rate charged by the Land Mortgage Banks;

(d) whether any representations have been made to the Government to reduce the rate of interest and if so, the nature of the representations and the decisions of the Government thereon; and

(e) whether the Government have at any time considered the necessity for reducing the rate of interest with retrospective effect in view of the urgent need to grow more food?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. Sri Kala Venkata Rao):—“(a) Yes.

“(b) The effective borrowing rate of the Government as recently fixed is 3 per cent per annum.

“(c) The Board of Revenue has consulted some leading scheduled banks in regard to the rate at which interest is charged by them in respect of loans advanced to cultivators. It has reported that they do not advance any loans to cultivators for agricultural purposes. Only Land Mortgage Banks are advancing loans to agriculturists. The rate of interest charged by these banks before 18th April 1947 was higher than the rate of interest charged by the Government by $\frac{1}{4}$ per cent and lesser by $\frac{1}{4}$ per cent after that date.

“(d) & (e) The Government have received representations asking for a reduction of the rate of interest.

“The question of reducing the rate is under the consideration of the Government. If it is decided to reduce the rate of interest, the question whether retrospective effect should be given to such reduction will also be considered.”

SRI R. SURYANARAYANA RAO:—“May I know, Sir, as Land Mortgage Banks are only advancing money for the clearance of prior debts and only very small amounts for reclamation of lands, but not definitely for agricultural purposes for the purpose of production, while takkavi loans are granted for assisting the agriculturist to bring more land under cultivation, to cultivate better, to buy better seeds and use better implements, if the Government would consider the question of reduction of rates of interest as quickly as possible?”

THE HON. SRI K. MADHAVA MENON:—“It is a fact that Land Mortgage Banks give loans for the clearance of prior loans and that takkavi loans are granted for agricultural purposes for the year; as I have already said, the matter is already under consideration and it will be quickly considered.”

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Ban on the assignment of lands.

* 109 Q.—SRI R. SURYANARAYANA RAO : Will the Hon. the Minister for Land Revenue be pleased to state—

(a) whether the Government imposed at any time a ban on the assignment of lands;

(b) if the answer to (a) is in the affirmative, whether the ban still exists;

(c) whether it is a fact that in spite of the ban, assignments are being made; and

(d) whether in view of the immediate need for improving food production the Government have formulated or intend to formulate a scheme by which land is to be made available for cultivation on liberal terms?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. Sri Kala Venkata Rao) :—“(a) Yes, in March 1943.

“(b) Yes.

“(c) The ban has been relaxed only in certain specific classes of cases under the orders of the Government, e.g., assignment of small bits of land which are not useful to anybody except to the adjacent landowners to round off their holdings; Kamaki lands in South Kanara; escheated lands. Besides, in a very few exceptional cases permanent assignments of land have been made.

“(d) The Government have thrown open all waste lands for temporary cultivation under the Grow More Food Scheme. The cultivation is free of assessment and this exemption from assessment has been continued up to the end of fasli 1357 (30th June 1948). In certain areas, concessional rates of water-cess have also been sanctioned. Other concessions such as grant of loans on liberal terms, subsidies for sinking new wells and tanks and repairing old wells and tanks, subsidized distribution of seeds and manures are also made to enable ryots to increase production of foodcrops. No further orders are considered necessary at present.”

SRI R. SURYANARAYANA RAO :—“May I know, Sir, whether the question of assigning for ever lands in favour of persons who have raised crops on them for a particular period in connexion with the Grow More Food Campaign has been considered by Government?”

THE HON. SRI K. MADHAVA MENON :—“I do not think any such consideration has been made.”

SRI K. NATARAJAN :—“May I know, Sir, whether in the case of lands which had been brought under cultivation in furtherance of the Grow More Food Campaign under the orders of Government under the Defence of India Rules, those occupying them will be given permanent rights of occupancy without any disturbance?”

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THE HON. SRI K. MADHAVA MENON :—“ When the ban is removed, the Government will consider the question.”

SRI R. SURYANARAYANA RAO :—“ Will it not prove a better incentive to them to cultivate these lands and to put all their labour, energy and capital, if they are sure that if they continue to cultivate them continuously for a particular period, they would become the ultimate owners of the lands? ”

THE HON. SRI K. MADHAVA MENON :—“ The ban over the alienation of lands was connected with the question of reservation of some lands for ex-servicemen ; now that question is practically over and the question will be considered.”

Language test for Deputy Collectors.

*** 110 Q.—ABDUL LATIF FAROOKHI SAHIB BAHADUR :** Will the Hon. the Minister for Land Revenue be pleased to state whether in view of the impending partition of the Province into Andhra and Tamil Provinces it is necessary to continue the Deputy Collectors' Language Test?

THE HON. SRI K. MADHAVA MENON (on behalf of the Hon. Sri Kala Venkata Rao) :—“ It is necessary to continue the language test for Deputy Collectors until the partition of the Province becomes an accomplished fact.”

UNSTARRED QUESTIONS.

Import of rice and wheat into this Province for 1945-47.

8 Q.—SRI B. NARAYANASWAMI NAYUDU : Will the Hon. the Minister for Food be pleased to state—

(a) the quantity of imports of rice and wheat into the Province from other Provinces or States of India in the years 1945-46 and 1946-47;

(b) the names of such Provinces or States—the quantity from each Province and the price paid per bag of rice of 246 lb. and per unit of wheat imported;

(c) the costs of transportation per bag of rice or per unit of wheat;

(d) the imports of rice from foreign countries in the years 1945-46 and 1946-47—the names of the said countries—the quantities imported therefrom; and

(e) the price or prices paid per each bag of 246 lb. rice to the several foreign countries from which rice was imported and the costs of import and transportation per bag of 246 lb. of rice and per unit of wheat?

A.—(a) to (e) Statements * showing the information required are laid on the table of the House.

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Cost of the staff of the Food Department for 1945-47.

9 Q.—SRI B. NARAYANASWAMI NAIDU : Will the Hon. the Minister for Food be pleased to state what is the cost of the staff to the Government for procurement and distribution of food-grains in the Province for the years 1945-46 and 1946-47?

A.—The expenditure on the staff employed for procurement and distribution of foodgrains (including rationing) was as shown below :—

1945-46—Rs. 58,69,000.

1946-47—Rs. 1,08,40,600.

These figures exclude the expenditure incurred on the Headquarters [Board of Revenue (Civil Supplies)] staff.

The expenditure on account of the Headquarters staff was—

1945-46—Rs. 6,59,000.

1946-47—Rs. 9,33,400.

Articles exported from Madras Province to America for 1945-47.

10 Q.—SRI B. NARAYANASWAMI NAYUDU : Will the Hon. the Minister for Industries be pleased to state—

(a) the articles exported from the Madras Presidency to America, the value of the exports in each such article in the years 1945-46, 1946-47 and the amount of dollars earned by the Madras Presidency by reason of such exports;

(b) how much of the dollars so earned have been utilized by the Madras Presidency and in what manner;

(c) what are the articles imported from America;

(d) what articles have been imported from America by the Madras Presidency in 1945-46 and 1946-47, the list of such articles together with the value thereof against each article and total value of such articles;

(e) whether there has been any dollar distribution by the Central Government among the various Provinces and States; if so, the figures of such distribution in 1945-46 and 1946-47 as regards this Province;

(f) what is the quota of dollars allotted to the Madras Presidency and what is the quantity earned during the said years 1945-46 and 1946-47;

(g) what are the articles needed for the Madras Province from America; whether any orders for import of articles from America have been made in 1945-46 and 1946-47;

(h) whether such orders have been complied with and to what extent; and

(i) the reason for non-compliance if any and the extent of non-compliance on any such orders for import?

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A.—(a) to (i) The information asked for is not available with this Government. An effort is being made to obtain it from the Central Government. If any information is forthcoming, it will be placed on the table of the House.

Certain particulars regarding Indian Medical Service officers in this Province.

11 Q.—SRI B. BHIMA RAO : Will the Hon. the Minister for Public Health be pleased to state—

(a) the names, qualifications, previous occupation and residences of those who were recruited to the Indian Medical Service in this Province during the war from October 1939 to August 1945, as also their rank and the salaries and allowances that they were drawing in August 1945;

(b) the names of the members of the Indian Medical Service employed in the Provincial Medical Service after their return from the war, as also their present status and salary; and

(c) the names of such officers from this Province who joined the I.N.A. under Netaji Subas Chandra Bose and whether they or any of them have been re-employed, and if so, on what status and salary?

A.—(a) This is a matter for the Government of India.

(b) It is presumed that reference is made to the candidates who belong to the Emergency Commission of the Indian Medical Service. A list^a of such candidates employed in the Madras Medical Service in the grade of Civil Assistant Surgeons on their return from war service is furnished in Appendix VII. These Civil Assistant Surgeons were started on the initial pay of Rs. 200 per mensem in the scale of pay of Civil Assistant Surgeons.

(c) A list^b showing the names of Medical Officers of this Province, so far as information is available, who joined the I.N.A. is furnished in Appendix VIII. Out of them, the following candidates have been appointed as temporary Civil Assistant Surgeons on the usual pay and allowances admissible to such candidates. (Scales of pay Rs. 200—20/2—400 plus admissible allowances):—

1. Dr. T. Titus.
2. Dr. K. Sundaram.
3. Dr. M. A. Nambiar.
4. Dr. S. Krishnamurthi.
5. Dr. T. E. Unny.
6. Dr. R. V. Ramana Rao.

^a Printed as Appendix VII on pages 569-572 infra.

^b Printed as Appendix VIII on page 572 infra.

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Articles exported from the Madras Province to certain foreign countries for 1945-47.

12 Q.—SRI B. NARAYANASWAMI NAYUDU : Will the Hon. the Minister for Industries be pleased to state—

(a) what articles did the Madras Province export in 1945-46, 1946-47 and in 1947-48 till the end of August 1947 to (i) America, (ii) England, (iii) other sterling areas giving the names of such sterling countries, (iv) other foreign countries giving the names of such foreign countries; what were the quantities so exported, the foreign currencies acquired by such export; and

(b) what articles did the Madras Province import in 1945-46, 1946-47 and in 1947-48 till the end of August 1947 from (i) America, (ii) England, (iii) other sterling areas giving the names of such sterling countries, (iv) other foreign countries giving the names of such foreign countries, what were the quantities so imported and amount of foreign currencies acquired for such imports?

12-30 p.m. A.—(a) & (b) This Government have no information on the subject as "exports" are controlled by the Government of India.

Sterling balances.

13 Q.—SRI B. NARAYANASWAMI NAYUDU : Will the Hon. Minister for Finance be pleased to state—

(a) how much of the sterling balances of India in England represent the portion attributable to Madras contribution and how much of the sterling balances released for India are given to Madras Province;

(b) whether any representations have been made by the Government of India in the matter of apportionment of sterling balances by the Madras Province; if so, a copy of such representation may be placed on the table of the House;

(c) whether any instructions have been issued by the Madras Government to the members of the Constituent Assembly representing Madras and data furnished to them to guide them in the formulation for allocation of revenues between the Centre and Provinces; if so, the same may be placed on the table of the House; if not, why not;

(d) whether the members of the Constituent Assembly representing Madras have placed any representation in the formulation of such allocation and if so, in regard to what heads of revenue; and

(e) whether the members of the Constituent Assembly representing Madras have been given a mandate to subscribe to such allocation without reference to the Assembly that elected them?

A.—(a) The sterling balances in England relating to the Dominions of India and Pakistan are the property of the Reserve Bank of India and are held by the Bank partly in the Issue Department as part of the

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reserve against the note issue and partly in the Banking Department as part of its assets against its liabilities. It is not the case that any portion of the balance was "contributed by" or "attributable to", any particular Province.

No specific allotments from the sterling balances are made for sale to Provincial Governments for meeting their overseas expenditure. Sterling has been made available hitherto without difficulty for all necessary Government purposes. The purchase of sterling by residents in India for use for non-Government purposes is controlled by the Governments of India and of Pakistan through their Systems of Import Control and Exchange Control. Questions relating to the utilization of the sterling balances fall within the Central subjects "Currency" and "External Affairs", and the Madras Government have no powers in regard to them.

(b) No such representation has been made.

(c) & (d) The question of the allocation of revenues between the Union and the Units under the new Constitution was discussed informally at a Conference held by the Finance Minister of the Madras Government at which some members of the Constituent Assembly representing Madras were present, and certain suggestions were made by them. These suggestions were considered by the Government, and on the basis of the decisions reached by them the Finance Minister of the Madras Government gave notice that he would move in the Constituent Assembly certain amendments to the Federal and Provincial Legislative Lists proposed by the Union Powers Committee of the Constituent Assembly and also an amendment to paragraph 6 of the Report of that Committee. A copy of the amendments^a of which notice was given by the Finance Minister is furnished in the Appendix IX. The amendments proposed to item 72 in the Federal List and item 41 in the Provincial List would make all excise duties a Provincial subject. The amendments proposed to items 73 and 77 in the Federal List, viz., Corporation tax and income-tax, would add provisos to them requiring that at least 50 per cent of the net proceeds should be distributed to the Units in which the taxes were levied.

These amendments were not reached during the last session of the Constituent Assembly. The matter will no doubt be considered further at the next session. Those members of the Madras Government

^a Printed as Appendix IX on pages 573-575 infra.

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who are members of the Constituent Assembly will continue to press the claim of the Provinces for sources of revenue reasonably commensurate with their responsibilities.

- (e) There is no provision for members of the Constituent Assembly to refer to the Assembly that elected them any points that arise to be dealt with by the Constituent Assembly and the question of a "mandate," therefore, does not arise.

It is open to the members of the Madras Legislature to make suggestions in regard to the allocation of revenues between the Centre and the Provinces when a suitable opportunity arises for discussing the matter in the Madras Legislature. The Government will give due consideration to any such suggestions, when deciding on the representations to be made by this Government to any Committee of Experts that may be appointed by the Constituent Assembly to consider the question, and on the attitude to be adopted by the members of this Government who are members of the Constituent Assembly when the matter is dealt with by that Assembly.

Import into Madras of articles from certain foreign countries.

14 Q.—SRI B. NARAYANASWAMI NAYUDU : Will the Hon. the Minister for Industries be pleased to state:—

(a) what articles did the Madras Province apply to import from (i) America, (ii) England, (iii) other sterling areas, (iv) foreign countries, the quantities thereof and the amount of foreign currencies needed to such imports; and

(b) whether the import of such articles was allowed to any, and if so, to what extent; and the reasons for non-import of such articles?

A.—(a) & (b) This Government have no information on the subject as 'imports' are controlled by the Government of India.

Price of rice and wheat imported into this Province.

15 Q.—SRI B. NARAYANASWAMI NAYUDU : Will the Hon. the Minister for Food be pleased to state the basis on which the price of food imported into the Province, i.e., rice and wheat from inside India and from foreign countries is fixed and what is the part of the Government of Madras in the fixation of quantities to be imported into the Madras Province and the prices thereof?

A.—With regard to imports of rice and wheat from sources within India, the prices are fixed by the supplying administrations, most of whom have got their own controls over prices and purchases are made on behalf

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of this Government at the prices quoted by the supplying administrations. With regard to supplies from imports from foreign countries the Government of India asked the Madras Government last year at what prices imported rice and wheat should be supplied to them if the then existing level of retail prices for these commodities were to be kept undisturbed. The Government of Madras replied that rice should be supplied at Rs. 8-5-0 per imperial maund and wheat at Rs. 7-12-0 per imperial maund. The Government of India accepted this Government's recommendation in regard to rice and fixed the price of imported rice to be charged to this Province at Rs. 8-5-0 per imperial maund for delivery export Commissioner's transit shed. For wheat, however, they fixed a rate at Rs. 9-8-0 per imperial maund. These rates are being paid to the Government of India. The Government of India bear the difference between the actual prices which are much higher and the prices mentioned above.

Every year the Government of Madras declare their deficits of the several varieties of foodgrains to the Government of India and the Government of India make allotments taking into consideration the size of our deficit as well as the quantities available for distribution in the surplus provinces of India and from imports. Originally these allotments were made twice a year just before the commencement of the khariff and rabi years but in view of the uncertainty in the supply position from imports, the Government of India have of late, been making allotments once a month and monthly conferences are being held between the officials of the Government of India and the provincial and state officials to determine the quota to be allotted each month to each deficit administration. The Madras Government send their representative to these conferences who presses the claims of Madras for adequate allotments to meet its deficit.

Sterling allotments.

16 Q.—SRI B. NARAYANASWAMI NAYUDU : Will the Hon. the Minister for Finance be pleased to state—

(a) the amount of sterling allotted to Madras in 1945-46, 1946-47 and till 15th August 1947 and the articles with their prices and quantities obtained by the aid of such allotment of sterling balances;

(b) whether the Government are aware of the allotments to the other Provinces in 1945-46, 1946-47, and till the 15th August 1947, and (ii) the articles, prices and quantities thereof obtained by the other Provinces of India; and

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(c) of the £65 million sterling allotted to India in August 1947, how much falls to the share of this Province and how the Government propose to utilize it?

A.—(a) to (c) See the Answer to Question No. 13.

Share of income-tax and jute duty for Madras.

17 Q.—SRI B. NARAYANASWAMI NAYUDU : Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that the Union Powers Committee of the Constituent Assembly has omitted from the Provincial list a share of the income-tax and jute duty;

(b) what is the revenue of Madras in 1945-46 and 1946-47 from its share of income-tax and jute duty and whether they form an elastic and progressive source of revenue;

(c) what was the stand taken up by the members of the Constituent Assembly representing Madras in the omission of the said revenues from the Provincial list and what were the instructions, if any, issued to them by the Government of Madras and what steps, if any, the Government propose to take to reinclude in the Provincial list, a share of income-tax and jute duty; and

(d) whether the Government are kept informed of the day-to-day developments of currency problem by the Dominion of India?

A.—(a) Income-tax and export duties are Central subjects at present under the Government of India Act, 1935. In the legislative lists proposed by the Union Powers Committee of the Constituent Assembly, these subjects are included in the Federal Legislative list. They are not included in the Provincial Legislative list either under the Government of India Act, 1935, or under the proposals of the Union Powers Committee of the Constituent Assembly.

(b) Under section 138 of the Government of India Act, 1935, and the Government of India (Distribution of Revenues) Order, 1936, up to 14th August 1947 the Madras Government were getting annually 15 per cent of the amount assigned to the Provinces out of the net proceeds of the income-tax levied and collected by the Government of India. The amount assigned to the Provinces up to 14th August 1947 was 50 per cent of the net proceeds of the tax after making certain deductions in accordance with section 138 of the Government of India Act, 1935. The corresponding percentage amount to be distributed among the provinces from 15th August 1947 until the new Constitution comes into force will be prescribed by the Government of India under section 138 of the adapted Government of India Act now in force.

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The amount received by the Madras Government out of the proceeds of the Central Government's income-tax for the years 1945-6 and 1946-7 was Rs. 431.25 lakhs and Rs. 448.05 lakhs, respectively. The amount varied according to the rates of the tax determined annually by the Central Legislature and the condition of business activity. This is an elastic source of revenue. In recent years it has been a "progressive source of revenue," if by that is meant a source that gives a constantly increasingly actual annual return, but it may not always be so. If the rates of tax and the efficiency of collection remain unchanged, the proceeds of the tax will increase in times of increasing prosperity and business activity, but will fall in times of depression and decreasing business activity.

The Madras Government have never received any amount from the proceeds of the export duty on jute or jute products with reference to section 140 of the Government of India Act, 1940, as no jute is grown in this Province.

- (c) There was no "omission from the Provincial Legislative List", as explained against clause (a) above.

The Finance Minister of the Madras Government gave notice of amendments to the Federal Legislative List proposed by the Union Powers Committee that would have added provisos to items 73 and 77, viz., Corporation tax and Income-tax, requiring that at least 50 per cent of the net proceeds should be distributed to the units in which the taxes were levied. These amendments were not reached during the last session of the Constituent Assembly. The matter will no doubt be considered further at the next session. Those members of the Madras Government who are members of the Constituent Assembly will continue to press the claim of the Provinces for sources of revenue reasonably commensurate with their responsibilities.

- (d) No. 'Currency' is a Central subject under the Government of India Act, 1935.

Pay of Inspectors of Factories.

18 Q.—SRI M. D. T. KUMARASWAMI MUDALIYAR: Will the Hon. the Minister for Food be pleased to state—

(a) the scales of pay for Inspector of Factories now in force and in 1931;

(b) why and when it was revised; and what is the standard adopted in the revision of scales of pay for Inspectors of Factories;

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(c) whether the standard is the same with regard to the other services also where such revisions have been made, if not why not;

(d) whether there is any reason for adopting a different standard of revision for Inspector of Factories;

(e) the qualification prescribed for the Inspector of Factories in 1931 before the revision of scales and now; and whether the qualification of the Inspector of Factories at present is any way lower than that obtaining in 1931 necessitating the adoption of revised scales of pay;

(f) the scale of pay obtaining in the sister service of Inspectors of Boilers in 1931 and now; and

(g) the standard adopted for revision and the percentage of reduction effected, and whether the same percentage of reduction was adopted with regard to the Inspector of Factories and other gazetted provincial services?

A.—(a) The scales of pay of Inspectors of Factories now and in 1931 are as follows :—

In 1931.	RS.	Now.	RS.
Inspectors of Factories ..	400—30—700	Inspectors, Grade I ..	260—30/2—440—40/2—600
		Inspectors, Grade II ..	200—30/2—410
Assistant Inspectors of Factories ..	250—10—350	Assistant Inspectress of Factories ..	200—30/2—410

(b) The scales of pay of Inspectors of Factories were revised in 1933, 1938 and 1946. The revision of 1938 was however subsequently abolished. The first revision was during the general revision of pay due to economic conditions. The revision of 1946 was due to administrative reasons when the posts of Inspectors and Assistant Inspectors were converted to Inspectors, I and II Grades. No particular standard was adopted for revision, but all relevant factors were taken into account.

(c) & (d) Does not arise.

(e) Qualifications prescribed for the posts of Inspectors of Factories are as follows :—

In 1931.
No person shall be eligible for selection for admission to the service unless—

- he has not attained the age of 30;
- he is a graduate of any of the Universities mentioned in the annexure to the rules or has obtained a certificate or diploma of the Indian School of Mines, Dhanbad;

Now in force.
A candidate for appointment as Inspector of Factories, I Grade or II Grade must possess—

- the degree of B.E. of the University of Madras or the degree of M.Sc. in Chemical Technology of the Andhra University; or
- a diploma in Engineering of the College of Engineering, Guindy; or

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In 1931.

- (c) he possesses a good theoretical knowledge of mechanical engineering and of some branch of physical science;
- (d) he has undergone a course of practical training in the mechanical engineering;
- (e) he possesses a practical knowledge of factory work either in India or Europe.

Now in force.

- (iii) a certificate or diploma of the Indian School of Mines, Dhanbad;
- (iv) a pass in an examination qualifying for Associate Membership of the Institute of Engineers (India); and
- (v) If he is to be recruited direct, must not have completed thirty years of age on the first day of July of the year in which the selection for appointment is made.

The present qualifications are not lower than those prescribed in 1931. The revision of pay was not based on qualifications.

(f) *Scales of pay of Inspectors of Boilers—*

In 1931.

Now.

Rs. 400—30—700.

Rs. 250—30/2—520—40/2—600.

(g) Please see answer to clause (b). The percentage of reduction or increase in the 1933 revision is as below :—

Assistant Inspectors of Factories (increase 1·8 per cent).

Inspectors of Factories (reduction 35·2 per cent).

Inspectors of Boilers (reduction 29·1 per cent).

The percentage was not the same for all services.

No reduction is involved in the revision of the scales of pay for Factory Inspectors in 1946.

Scales of pay of certain provincial services.

19 Q.—SRI M. D. T. KUMARASWAMI MUDALIYAR : Will the Hon. the Minister for Finance be pleased to state—

(a) whether it is a fact that due to the revision of scales of pay of non-gazetted officers, a corresponding increase has also been made with regard to various gazetted services;

(b) whether the scale of pay of Inspector of Factories also similarly increased; if not, why not;

(c) the minimum starting pay of an Inspector of Factories; and whether there is any other gazetted provincial service starting on this pay; and

(d) whether the Government propose to adopt an uniform scale of pay with reference to all the gazetted provincial services with same cadre?

A.—(a) In the recent revision only the minima of the existing scales of pay of some of the provincial services were revised by one or two stages so as to fit in with the maxima of the revised scales of pay of the corresponding subordinate services.

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- (b) No. There is no corresponding subordinate service to the Madras Factory Service and the question of revision of pay of this service did not arise.
- (c) Rs. 200 in the scale of pay of Rs. 200/30/2—440—40/2—600; Yes, (e.g.), Civil Assistant Surgeons Rs. 200 in the scale of Rs. 200—25/2—400.
- (d) The Government propose to constitute a Retrenchment and Reorganization Committee to make its recommendations, among others, on the question of revision of pay of provincial services. The revision of the pay of provincial services will be considered on receipt of the recommendations of the Retrenchment and Reorganization Committee.

Particulars of sentences and remissions, etc.

20 Q.—SRI B.BHIMA RAO : Will the Hon. the Home Minister be pleased to lay on the table a list with dates (from 1st May 1946 up to date) showing the names of persons (excluding those released on Independence Day) whose convictions and sentences have been remitted or suspended under section 401, Criminal Procedure Code, the offences for which they had been convicted, the sentences imposed on them, the courts which passed the sentences and the reasons for granting such remissions and suspensions?

A.—The information cannot be supplied without undue labour and search, which is hardly worthwhile.

Nature of work done by Inspectors of Factories.

21 Q.—SRI M. D. T. KUMARASWAMI MUDALIAR : Will the Hon. the Minister for Food be pleased to state—

(a) what is the nature of the work done by Inspectors of Factories, and what are the Acts administered by them;

(b) whether their work has increased of late, and whether they are given any proportionate increase in their pay;

(c) whether there is any proposal before the Government to sanction for them the scale of pay approved by the Central Government; and

(d) if not, what is the scale of pay that is proposed to be given to them?

A.—(a) Inspectors of Factories inspect factories coming within the scope of Factories Act and see that the provisions relating to the conditions of work and protection of workers are complied with. They also supply technical information and advice to employers and workers concerning these provisions. They administer the Factories Act, Madras Maternity Benefit Act, Employment of Children Act and the

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Payment of Wages Act. They also help in the administration of the Workmen's Compensation Act, Industrial Statistics Act, Industrial Employment Standing Orders Act, etc.

- (b) With the increase in the number of factories, the work of Inspectors must have increased somewhat, but eleven additional Inspectors have been appointed this year and their jurisdiction has been reduced.
- (c) & (d) No, Sir. A memorandum has been received from the Inspectors of Factories seeking revision of their pay. This is being examined.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—STATEMENT BY DR. SYED TAJUDDIN SAHIB FOR EXPUNGING A PORTION OF HIS SPEECH FROM THE PROCEEDINGS.

* DR. SYED TAJUDDIN SAHIB :—“ Mr. President, with your kind permission I wish to say a few words in order to clear a misunderstanding that has unfortunately and quite unexpectedly arisen with regard to certain portion of my speech made during the recent food debate. I had no intention at all of insulting or affronting the Hindu religion. My sole and only aim was to bring home to the minds of my Hindu brethren in a vein of good humour the supreme importance of so good and precious a manure which is being wasted in more ways than one especially when we are passing through an unprecedented food crisis which threatens to become endemic and pandemic. I assure one and all and once for all that nothing could be further from my thoughts than to jeer or to sneer at any religion much less Hinduism which is dear and sacred to its votaries. But I confess that I only know the broad fundamentals and the outlines of Hinduism; but all the same, I assure all gentlemen who were not present here that I never used the word ‘chunam’. However, from the bottom of my heart I express my profound regret if my unintentional reference has affected Hindu sentiments in certain quarters. Hereafter, I shall mind my p’s and q’s all the more by being overcautious. Mr. President, I have said the truth, the whole truth and nothing but the truth, before I resume my seat, I request you to delete that portion of my speech, for which I would feel happy and thankful.”

SRI S. B. ADITYAN :—“ On a point of order, Mr. President”

MR. PRESIDENT :—“ There is no point of order to be raised; will you please resume your seat? The portion referred to will be deleted and I hope this question will now end and there will not be any further reference to it either by members or outside.”

SRI S. B. ADITYAN :—“ The point I was about to raise was under what rules this portion is deleted. The proper procedure,

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I submit, will be to leave the original portion in the records of the proceedings of the House intact and also put in the remarks of the member with the President's orders on it. Supposing the original portion is deleted, how can any future reader know or find out what the offending portion was and why it was deleted. If it is deleted, there will be only a vacuum and there will be nothing for a future reader to see what this deletion was all about and for what purpose the apology of Dr. Tajuddin was offered."

MR. PRESIDENT:—"I request hon. Members not to proceed with this matter further. The hon. Member has requested that the portion might be deleted and it will be deleted."

SRI S. B. ADITYAN:—"I take it that the statement of Dr. Tajuddin will be published."

MR. PRESIDENT:—"It will be."

GOVERNMENT BILL.

III.—THE MADRAS ESTATES COMMUNAL, FOREST AND PRIVATE LANDS (PROHIBITION OF ALIENATION) BILL, 1947 (L.A. BILL No. 26 OF 1947), AS PASSED BY THE ASSEMBLY.

11-45
a.m.

* THE HON. SRI K. MADHAVA MENON:—"Sir, I move—
that the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) a Bill, 1947 (L.A. Bill No. 26 of 1947), as passed by the Legislative Assembly be taken into consideration at once."

I need not dilate much upon this simple Bill, because it has been before the Press and the public for a considerable length of time. Sir, a number of representations were received by the Government that landholders were resorting, on a large scale, to the alienation and assignment of communal lands including the beds and bunds of tanks, and also of forests. Some landholders were also reported to have claimed communal lands as their private lands and to have assigned such lands for large sums of money. It was further alleged that several landholders were alienating their private lands after receiving large amounts by way of *nazarana*. Since the publication of the Prakasam Committee report in 1939, there was a feeling in the minds of the landholders that the Congress Government would proceed with that legislation either in pursuance of the Congress election manifesto or in pursuance of that report, and that the zamindaris would be abolished, and that relief would be given to cultivators and ryots. Perhaps in anticipation of that legislation being undertaken by the new Congress Government, alienations of communal lands and forest lands, and also alienations of lands, which were originally private lands, were going on. Such alienations and denudations of the forests became a very serious menace, and the Government in 1946 brought forward the Preservation of Private Forests Act as a temporary measure. In spite of that, there were alienations of forest, communal and private lands going on, and they have become so serious that Government had to resort to an Ordinance to prevent such

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alienations. This Bill that I have placed before you, and which has been passed by the Legislative Assembly, is only to make that Ordinance a law by the vote of this House. You know, Sir, . . . (Interruption.) I am protecting the land itself so that it may be given to those who require it. I am protecting also the landholders. They are people who require protection against themselves. The Ordinance, as you know, has to become law within six weeks of the commencement of the sitting of the Legislature, and that is, before the 26th of this month. There is no very great difference between this Bill and the Ordinance except in one respect, and that is the introduction of clause 4 in the Bill. This has been a matter of considerable comment in the Press and also in the other House. Retrospective effect is sought to be given under this Bill in the case of any communal or forest land, alienated on or after the 31st day of October 1939, and in the case of any private land alienated on or after the 1st day of November 1945. It is true that all retrospective legislation is, according to English jurisprudence, supposed to be bad, but in certain cases, it is necessary. Seeing the nature of the alienations that have been going on, we have taken the power to give retrospective effect to this legislation. But to avoid as much hardship as possible, all sorts of conceivable protection have been given to a *bona fide* purchaser even in the case of alienations. We have completely excluded all alienations in favour of public bodies, local boards, and religious and charitable endowments, whatever be the nature of the alienation. (Interruption.) They may be equally offenders. In the case of Karaikudi, the municipality purchased certain lands from the zamindar. It was not with the idea of converting that land into house-sites and constructing buildings upon it. It is not with the idea of depriving anybody that they have done it. In a proper transaction, which is not *mala fide*, the Government do not want to interfere. We have also excluded all alienations which are not above 20 acres in extent and also alienations which are more than 20 acres in extent to the extent of 20 acres. Lastly, Sir, we have excluded all alienations irrespective of their dates if they were in favour of an assignee or alienee in good faith and for valuable consideration. A person who has taken these lands from the landholder in good faith and for valuable consideration will not suffer any hardship by this retrospective effect, but if the alienation has been made *mala fide* with a view to deceive the general public that person must suffer, and that is the only reason for this retrospective effect. (Interruption by Dr. V. K. John.) Protection to communal lands had to be given. It is not a matter for private transaction. This clause on retrospective effect was not in the Ordinance. The other clauses were there. This Bill only re-enacts the Ordinance which was promulgated by the Governor. I seek the support and co-operation of the House to get this Bill through as early as possible, and I have already indicated the necessity for speed in the matter. I know,

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Sir, even yesterday, it was complained bitterly by this House, that this House is not given sufficient time nor the right to sit in the select committee on important Bills like this. The Leader of the House has already explained the position and given the necessary assurance that he could give regarding select committees. In this particular matter, it was not at all with the idea that this House should not sit in a joint select committee. This Bill could not be referred to a joint select committee for various reasons. It was very late when the Government came to the Legislative Assembly for a select committee. Even there, the select committee sat only on one day. The Bill had to be rushed through, because it had to become law before the 26th of this month. That is why, it was not referred to a select committee of this House. (Interruptions by Sri B. Narayanaswami Naidu and Sri R. Suryanarayana Rao.) I understand from my friends that the select committee's report has not been circulated. I do not know whether it is usual to circulate the select committee's report here. The select committee made one major change in the original Bill, that is, they removed the clause on retrospective effect. But on the floor of the other House Government moved an amendment to retain the retrospective effect with, however, all the saving clauses for a *bona fide* purchaser if the transaction was entered into in good faith and for valuable consideration. I appeal, Sir, for the co-operation of this House in getting this Bill through quickly."

MR. PRESIDENT :—" We get the Bill here as passed by the Assembly. I do not think we are interested in the select committee's report."

SRI B. BHIMA RAO :—" Sir, we do not know what are the recommendations of the select committee. Is it not necessary that we should have that information instead of having the same from the newspapers? "

MR. PRESIDENT :—" This seems to be a technical matter. It is a committee of that House. I do not know if we are entitled to a copy of the report. We see the changes made by the select committee, though we may not know their reasons."

DR. V. K. JOHN :—" Let us make it a convention that we have a copy of the select committee's report."

MR. PRESIDENT :—" I should like to have some technical help from you."

DR. V. K. JOHN :—" There is nothing either for or against in the rules, Sir."

* SRI R. SURYANARAYANA RAO :—" Sir, I am sure that the Hon. Minister Mr. Madhava Menon did not take us to be school boys. He began his speech by saying that this is a very simple Bill giving effect to an Ordinance that was promulgated by

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the Governor, and that Ordinance would lapse, and so to make the provisions of the Ordinance effective, this Bill had to be introduced. We have got a copy of the Ordinance. We have got a copy of the Bill as introduced in that House, taken from the *Fort St. George Gazette*, and we have the Bill as it has been adopted by the Assembly. Sir, if your office prepares a statement in three columns showing the various changes made, one will be surprised to hear that the Hon. Sri Madhava Menon should have made such a statement as he did. The Ordinance is only two pages, the Bill is three pages, and then the Bill as passed by the Assembly has gone to four pages, because of clause 4 which is a very lengthy one. That apart, Sir, that this is a very important Bill is evident to us at least from the long reports of the proceedings of the Assembly, and the description of a tense atmosphere that was prevailing in that House when this Bill was passed, which appeared in the newspapers. But we are not aware what led to that tense atmosphere. At least if the proceedings of the Assembly, along with this Bill, had been supplied to us, we would have been in a position to appreciate what it was that made the atmosphere so tense, and what led to the reported resignation of one Member of the Assembly, and the subsequent withdrawal of that resignation and other pertinent matters. We got all this information only from the newspapers. That apart, Sir, again I would say”

MR. PRESIDENT :—“ I fear the select committee's report would not give you the information.”

* SRI R. SURYANARAYANA RAO :—“ Owing to the kindness of the office I secured a copy of the select committee's report ; but that also differs from the Bill as it has been passed. 12 noon.

“ This is another instance to which I would wish to draw the attention of the Treasury Bench where we are asked to register our consent to an enactment that has been adopted in the other House, without giving us enough time to go into the select committee to influence the shaping of this Bill. As such I feel no purpose will be served by taking part in the debate on this Bill. When the Public Safety Act was brought forward by the previous Ministry we complained when we were asked to register our consent because the Ordinance passed previously was about to expire, and unless we did it, we were told the whole world would come to an end. Similarly with reference to this Bill the same thing is being said. We do not think any great mishap will occur if this Bill is not passed to-day. It strengthens our view which we expressed yesterday, that unless Government give an undertaking to this House that in matters of importance this House would also be given an opportunity to influence the framing of the Bill by giving them a place in the joint select committee I wish to say that I refuse to take part in adopting or rejecting this Bill. I am sure there are other hon. Members who feel like me that we

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are treated as school boys by the Treasury Bench, asking us to say "Aye" for everything they bring forward without giving us an opportunity to study, understand and influence in any way the shaping of the Bill. I do not think any purpose will be served by our going through this Bill under these circumstances. I feel and other hon. Members I am sure, will feel that they do not wish to take part either in adopting this Bill or even considering this Bill."

THE HON. DR. T. S. S. RAJAN :—" I think on behalf of the Government I gave the assurance yesterday. It is a pity we have to go back on it now. I say, in future whatever measures are brought forward before this House we shall see due time is given to hon. Members to discuss in the select committee. It is because of the peculiar nature of the things that happened in the other House that we had no time to give this House proper time for consideration. We shall see that no such thing happens in the future. I hope after this assurance is given members will have no cause for complaint."

* DR. V. K. JOHN :—" Sir, this Bill is peculiarly unhappy in my opinion. There is clumsy wording in it. There is also ignorance of elementary and fundamental principles of law relating to private property. And there is unnecessary and unwarranted interference with the ownership of private property. This Bill seeks to declare the sale, mortgage and lease or any other transaction relating to property void. Not only void, from the date when this Bill is passed into law but void retrospectively. Not only that, the landlord who mortgages or leases or sells land is guilty of an offence; and he is punishable not only with fine but with imprisonment for two years. Now I ask the mover of this Bill, what reason has he to interfere with the right of any person to deal with his property as he likes. He said or queried that it was on the ground of protection of the land. But nowhere is it suggested that land is being wasted because of being sold, mortgaged or leased. I can understand the lessee being rackrented and requiring protection. I can understand the mortgagor requiring protection but not the mortgagee. A person who lends money and takes a mortgage of another's land does not require protection. Now it is provided in the Bill that the owner of the property shall not mortgage his land. The Bill says, such a transaction is void. But what about the money paid? I ask, if Government is to acquire all zamindari land, what does it matter to them if the zamindar mortgages, sells or leases his land? Why do you interfere with the right of a private individual to deal with his property as he likes? Why do you destroy the credit of the owner of the property? Now if it is a fundamental principle accepted in any democratic government that you should not interfere with the freedom of the individual or his property unless that interference is absolutely necessary for the security of the State or the good of the community as a

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whole. Now why do you want to protect the seller and the mortgagor. He has received the money. You say the transaction is void. Then how does it protect the seller of the property?"

THE HON. SRI K. MADHAVA MENON :—" I never said I want to protect the seller of the property."

* DR. V. K. JOHN :—" Do you seek to protect the community as a whole? Is the community prejudiced by a person selling or mortgaging his land? After all the person who loses in the transaction is the person who pays hard cash.

" Further I do not know why you should put people in jail. How does this jail come in? Why should jail attract this national government every time a Bill is drafted? I can understand law declaring a transaction void, if it will prejudicially affect the interests of the community as a whole."

MR. PRESIDENT :—" I think jail comes in if the alienation takes place after the Bill becomes an Act."

* DR. V. K. JOHN :—" I beg to correct you, Sir. It is not so. Clause 3 (2) says: ' Any landlord who has contravened or contravenes the provisions of sub-section (1) . . . ' "

MR. PRESIDENT :—" What is sub-section (1) ? "

* DR. V. K. JOHN :—" That is why I said in the beginning there is clumsy wording in the Bill. Sub-section (1) says :

' No landholder shall sell, mortgage, convert into ryoti land, lease, or otherwise assign or alienate any communal or forest land in his estate on or after the date on which the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Ordinance, 1947, came into force, namely, the 27th day of June 1947. ' "

MR. PRESIDENT :—" So it is from the date on which the Ordinance came into force."

* DR. V. K. JOHN :—" Yes, Sir. You will see from clause 8 that it saves the Ordinance and all proceedings under it. I ask is it because we have obtained independence we are using this kind of language and murder the English language. It is all against democratic principles to provide for jail for such transactions. I can understand English language being used to the effect ' that any sale after the 27th day of June 1947 shall be void. ' * Instead of using this language, the Bill provides that no landholder shall sell land from the 27th June 1947. The draftsman of this Bill appears to be fond of clumsy wording.

* THE HON. SRI K. MADHAVA MENON :—" May I point out to my hon. Friend that the Ordinance did provide for this punishment for contravening certain provisions of the Ordinance."

* DR. V. K. JOHN :—" There it is saved. I am on this point, 12-15
that it provides that no man shall sell his property after the 27th p.m.

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June 1947. There is a provision in the Ordinance but the Ordinance is saved in clause 8. Again it is clumsy. Once it is saved why do you provide for it again. That it is clumsy is also clear from clauses 3 and 5 also. You will find that sub-clause (2) of clause 3 provides that any landholder who has contravened or contravenes the provisions of sub-section (1) and any agent of the landholder who has abetted or abets such contravention shall be punishable with imprisonment which may extend to two years, or with fine which may extend to five thousand rupees or with both. After providing this in clause 3 you come to clause 5 which says: it shall be lawful for any Magistrate of the first-class specially empowered by the Provincial Government in this behalf to impose a sentence of fine exceeding one thousand rupees. Why not put it after clause 3? When you say he can be fined up to Rs. 5,000 you know very well that a First-class Magistrate unless otherwise empowered cannot impose a fine of Rs. 5,000. Sir, there is no logic in the arrangement. I am not so much on that point. Why is it that there should be a legislation to continue this Ordinance? We were not parties to that Ordinance. Sir, why should there be any interference with the right of a person to deal with his property in any manner which he likes, to sell his property if he wants to sell it or mortgage his property and pay off his debt. How is the community affected? Sir, we are on the Grow More Food Campaign. The zamindar finds that he has got vacant land which he cannot cultivate and he wants to lease or sell it. How do you offend the community by letting him exercise his ordinary rights in relation to his property? Interference with the right of a person is a very serious matter. After all the private man has got certain rights regarding his person and property. I want to know what is the object of interfering with the private property of individuals. It is not for a democratic Government to interfere with personal liberties and private properties of individuals. You are providing that he shall not mortgage his property. You do not stop there. You say that he would be prosecuted. For what offence? Has he committed any offence against the general public? I say this is confused thinking. They cannot introduce a thoughtless piece of legislation. They introduce an Ordinance, then the Ordinance expires on a particular date. They do not think of introducing legislation up to the last moment. It has been rushed through in the Assembly and my Hon. and Learned Friend wants to rush it through this House. I say this is absurd. This Bill has been drafted in ignorance of fundamental principles of law. Every seller and mortgagor gives a guarantee that he has a title to that land. The general law protects the purchaser if a man sells away property that does not belong to him.

" Now section 4 says that any transaction of the nature prohibited by section 3 which took place, in the case of any communal or forest land, on or after the 31st day of October 1939—we are going back eight years—and in the case of any private

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land in a notified estate, on or after the 1st day of November 1945—we are going back two years—shall be void. Sir, this is confused thinking. Do they know what is the result of declaring a transaction to be void. Suppose a zamindar mortgaged a property and got Rs. 10,000 on the mortgage in 1939. You declare to-day it shall be void. What is the result? Because it has passed through the Assembly it must go through here also. I can assure you it will go through here because they have a majority. But I cannot be a party to this legislation. It is said that the transaction shall be void. You are depriving the purchaser of the property for which he paid the price or the mortgagee who lent money to the zamindar by depriving him of his security. The purchaser loses his property and the mortgagee loses his money. The security is destroyed. Whom are you penalizing? You are penalizing the man who has already got the money. You want to send him to jail. I can understand if a transaction is so bad that both the parties are in the wrong and you punish both of them. What is the object of the legislation? I hope in his reply the Hon. Minister who is a lawyer himself will address this House at least for the satisfaction of the public who will see the newspaper reports of the proceedings of this House. There is nothing in the Preamble which shows that a public purpose is served. You are simply interfering with the right of a person to deal with his property as he likes. I can understand an enactment saying that hereafter any transaction will be void. Then they go into a transaction with open eyes. I can never understand any transaction which took place years ago and which the existing law allowed being declared void in 1947 with retrospective effect—a transaction of purchase or sale or of mortgage or of lease. This is largely due to confused thinking and the ignorance of the elementary principles of law relating to property and ignorance of the fundamental principles which should guide any democratic form of Government under which they should always be reluctant to interfere with the fundamental rights of a person to his property. In ignorance of and contravening all principles this piece of legislation is rushed through this House and we are asked to be parties to this legislation. It is very wrong and after the amendment by a learned friend in the other House, namely, Mr. A. Vaidyanatha Ayyar, was accepted this Bill could as well have been scrapped."

MR. PRESIDENT:—"That covers instances which you gave."

* DR. V. K. JOHN:—"It could have been scrapped because any transaction which is not in good faith and for valuable consideration is dealt with by the general law. Why do you want to provide for it again? There again it is the ignorance of the principles of law. Once this amendment which of course is a very proper amendment was accepted by the Lower House then Sir, this whole legislation could have been scrapped because the

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amendment cuts at the very root. Under the general law any transaction which is not in good faith and not for valuable consideration and is a sham transaction is void. What I seriously object to is the provision of preventing the landholder from dealing with his property as he likes and giving retrospective effect to this provision of law. You are not hurting the landholder who, you say, has committed an offence. You are actually favouring him because that landholder has already got his money when he has sold the land or mortgaged his land. You favour him by saying that this transaction is void. When he is your favourite, when he is the man whom you want to help, why then make a provision that he shall go to jail or he shall be fined. Is it not the case that you release him from the sale and from the mortgage? Does not the property go back to him as a result of the transaction having been declared void? You are really favouring the man for whom you have provided fine and jail. This Bill is the result of confused thinking from the beginning to end and when you say now that you shall not do anything from the 27th June 1947, it is clumsy wording. You do not arrange your paragraphs. Then you accept an amendment which cuts at the root of the whole Bill and leaves the ordinary law re-enacted here.

“ Then, Sir, there is the ordinary distrust of the courts of law. When a piece of legislation is rushed through and then there is this distrust of the courts of law you can take it and you can presume that the framers of the Bill, the men who are responsible for the Bill, know very well that a court of law will not give protection in the way in which they want to give protection. Why do courts of law exist? To interpret an Act, to administer an Act, to administer the law and to do justice between the parties. Why distrust them? Because you know very well that you have done something wrong. Therefore you avoid the courts. The other day the High Court said that the Executive Government exceeded their jurisdiction. You do not want an independent court to say something on this Bill. If the matter goes before an independent court it will say: ‘ This is an extraordinary piece of legislation passed without thinking in language which is clumsy and without a knowledge of the principles of law.’ So you want to say now, ‘ Bar the jurisdiction of the courts.’ In any democratic form of Government you want the Executive, the Legislature and the Judiciary. These are the three branches of the Government. But here you introduce legislation and say that the courts of law shall have nothing to do with this matter. The Government are conscious that difficulties will arise as there is no clear wording and no clear drafting. So they say, ‘ If any difficulty arises it will be removed by an executive order.’ A clause like this has been repeated in almost every legislation that has been recently brought before the House. Vesting of power in the executive to remove difficulties in the working of legislation is unknown in any civilised democracy. I can understand the vesting of such power in the case of transitional legislation like the Government of India Act,

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1935, where you do not want to provide in detail for everything to be done during the transitional period which is expected to be only a few months. In such cases the executive takes power to solve any difficulties which may arise. But you do not find any such thing in any of the Imperial Acts or the Madras Acts. There is no such clause stating that if any difficulty arises, the Provincial Government may by order do anything, etc. 'Anything', except perhaps making a man a woman and a woman a man which they cannot! They can do anything which appears to them to be necessary for the purpose of removing the difficulty. This is a most objectionable clause which has been put in in almost every Bill which has recently been introduced."

MR. PRESIDENT :—" Which is the clause which the hon. Member says takes away the jurisdiction of the courts? "

* DR. V. K. JOHN :—" Clause 7."

MR. PRESIDENT :—" No, please read clause 7."

* DR. V. K. JOHN :—" Clause 7 says : ' No notification or order of the Provincial Government or of the District Collector under this Act shall be liable to be questioned in any Court of law '."

MR. PRESIDENT :—" Only notification ; that is all."

* DR. V. K. JOHN :—" No order also. It is only by notification or order everything is done. If a notification or order of the Provincial Government or the District Collector goes beyond the jurisdiction or power which we the members of the Legislature have given to the Executive, who is to question it? It will not come before the Legislature ; it is not our function. It is the ordinary function of the courts to see that the executive does not go beyond the jurisdiction given to them by the Legislature. But now the Government come here and ask us to pass a law saying that the courts will have no jurisdiction. Why distrust the courts? The courts of law do justice. If you pass an order which is legal and within your jurisdiction and just and proper, the courts will uphold it. The courts of law have always tried to uphold the proceedings, the decisions and the acts of the Government if they possibly can. That has been from time immemorial the tradition of the courts. Then why distrust the courts? You cannot ask us to bar the jurisdiction of courts, one important wing of the Government in a democratic country. And then in clause 9 you ask us to give up our jurisdiction, the jurisdiction of the legislature. You say : ' Many difficulties will arise ; we do not know them now. We anticipate difficulties. We will create difficulties if there is none. But you give us the power to remove those difficulties by an executive order.' Nobody can understand that. Suppose you pass an order beyond the jurisdiction we confer upon you, then the court of law cannot question you under section 7. That is what the executive is asking us in the guise of passing a simple legislation. They ask us to pass this law and pass it urgently,

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because the 26th October is coming and something will happen and the whole sky will come down upon us if we do not pass this legislation at once. Then we are asked to give them every power to remove every difficulty which the Secretary may find or the Under Secretary may find in its working. Because after all, what the Minister finds is what the Secretary finds. When the Secretary finds any difficulty he draws up an order and the Minister says, 'Yes' and the order is passed. The matter will not go before a court of law, because injustice only you can expect in a court of law! This is a legislation regarding private property without any object whatsoever. It is a piece of confused thinking of clumsy language and of ignorance of elementary principles of law. You want us to pass a legislation containing two clauses conferring all jurisdiction and all power on the executive. Sir, I cannot be a party to this legislation."

SRI B. NARAYANASWAMI NAYUDU:—"Sir, I propose to take the same stand as Mr. Suryanarayana Rao on this Bill. What is the difference between an Ordinance and an ordinary Bill or Act? An Ordinance is passed by the Executive without the sanction or consent of the Legislature in order to meet an emergency, whereas a Bill or an Act is placed before the Legislature, several stages are gone through carefully, the views of the Legislature obtained, and then given effect to. Now, Sir, what is the difference between the Ordinance which has been passed on this matter and the Bill which is now placed before the House by my hon. Friend? Unfortunately the Member who was in charge of the Bill is not here. You bring the Bill here to-day and say that it must be passed to-day and if it is not passed to-day there will be difficulty. Can we have any proper discussion of the matter with the sword hanging over our heads saying: 'If you do not pass it to-day, we shall have to go out of office.'?"

"Six weeks have been allowed for the Government to place the Ordinance before the Legislature for consideration. Why did not the Government place this matter before the Legislature earlier? What are the reasons for it? Why has not the full procedure for passing a Bill been adopted in this case? Of course, my hon. Friend Mr. Madhava Menon cannot explain this, but the Member in charge of the Bill must explain this. Why does he want under colour of a Bill to rush through this Ordinance? The Government simply come to this House and say, 'Please pass this Bill to-day.'"

"What is the use of placing this Bill before the House if at least we do not have a reasonable chance—never mind whether they are accepted or not—that our arguments are heard diligently, and that the Member in charge of the Bill is satisfied with the reasons given? If that hope is not given to us, what is the use of bringing a Bill to this House and saying that it has to receive the assent of this House or the concurrence of this House? It is a misuse of the provisions of Parliamentary procedure to place a

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Bill before the House to-day and say, ' You must pass it to-day. The enemies are at our gates. Unless this is passed we will go into slavery from to-morrow.' There have been 5 or 6 or 10 days of the Assembly meeting and the Government could easily have had a Joint Select Committee, but they did not want to have it. I ask the reason why; is it because of the difficulty of giving parity of representation to the two Houses? **Never mind parity. At least** some members of this House might have been associated with the Committee. Why was it not done? Even if it was not done, why do you come here on the last day and say that this must be passed to-day? Should there not be reasonable opportunities of debate when there is no emergency? I say, Sir, this is a perversion of parliamentary procedure. It is really Gandhism on a superscale, practically stopping all criticism. (The Hon. Dr. T. S. S. Rajan : ' What has Gandhism to do with this? ') It is a steam-roller business. English jurisprudence does not favour what may be called retrospective legislation. But Gandhian jurisprudence favours retrospective legislation. My hon. Friend asked why there should be imprisonment. Probably they would have substituted whipping in a non-violent manner!

' Sir, I do not want to go into the merits of the case. Though this is a Bill dealing with zamindars, it really deals with vital matters regarding tenants. You have made all sorts of waste lands cultivable. Ryots have taken up all these lands and cultivated them. Now do you want to call them forest lands, take them away from these people and distribute them at the rate of 5 acres to the political sufferers? A question has been put as to what is meant by valuable consideration and good faith. From 1937 to 1947 for ten years, in Kistna district, persons have entered upon waste lands and cultivated them. They may not have paid any fees, but they have reclaimed the lands, levelled them, put up bunds, and done so many things to make them cultivable. Suppose a zamindar has let a person into such a land and he has not paid one rupee by way of premium, is that land going to be treated as forest land taken away from him and granted to political sufferers at five acres each? Is there going to be any kind of revenge or justice or what is it? These things will all occur. If there has been a legitimate exercise of the powers, the courts should be allowed to decide.

' We know, Sir, much depends on the hon. Members on the opposite side. They should not forego their rights. They should say they would not submit to dictation like this and agree to what may be called Ordinance rule. It is open to them to say, ' We are not a flock of sheep or a pack of hounds to be driven like this.' I ask, Sir, are they all sheep or are they hounds? (An hon. Member : ' Neither. We are all members of this House.') Therefore I say ditto to what Mr. Suryanarayana Rao has said. I hope all the members of the House will exercise their rights and say, ' This sort of legislation will not be tolerated by us, **never mind from** whom it comes. Even if it comes from Mr. Gandhi, it does not

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matter.' The hon. Members should realise their responsibility. If the Bill is pressed, I call upon the Members of the House to defeat it. I call upon them to refuse permission to go on with this Bill at this stage."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" Why not walk out in protest? "

SRI B. NARAYANASWAMI NAYUDU :—" We will vote and then walk out."

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* SRI K. NATARAJAN :—" Mr. President, Sir, we at any rate some of the Congress members who are bound to vote for a Government Bill, are in a very embarrassing position. Especially after the appeal, couched in a somewhat violent language, made by my hon. Friend Mr. Narayanaswami Nayudu, we have to consider the matter. Government or the Treasury Bench, which want our allegiance, are bound to respect our feelings also.

" I am fully alive to the soundness of the criticism levelled against this Bill by my hon. Friend opposite. Section 3 of the Bill says that no landholder shall sell, mortgage, convert into ryoti land, lease, or otherwise assign or alienate any communal or forest land from the 27th June 1947. Can the Government say to-day that you should not alienate from the 27th June? Does it make sense? Is it grammatical? Because we are bound to give allegiance, are we to give up grammar and acquiesce in the want of sense to put it mildly? This grammatical mistake or the logical fallacy at least must be removed. Suppose some amendment is passed in this House, it will have to go before the Legislative Assembly. But the threat is there that we will have to pass this Bill to-day itself, because the 26th is close at hand. There is no time even for moving very simple amendments which are, on the face of it, absolutely necessary at least to obviate the charge that the Bill is badly worded. I myself have been a victim of bad wording in one of the previous Acts that we passed. I am referring to the Protection of Tenants Act. Why should not one or two more days be given for introducing at least happy wording? Suppose we accede to the wish of the Treasury Bench and say that this unhappy language shall remain. What will be the charge that will be levelled against us? At least let it be said and published in the papers that some members objected to the wording.

" The definition of forest land has been taken from the Ordinance. ' Forest land ' includes any waste land containing trees and shrubs, pasture land, and any other class of land declared by the Provincial Government to be forest land by notification in the *Fort. St. George Gazette*. What waste land is has not been defined. ' Waste land containing trees and shrubs.' How many trees, two, three or four or what? What is the nature of the shrubs? Forest land has already been defined in the Forest Act, and that definition may be adopted. All the lands which have been declared as forest lands as per Survey Registers and Record of Rights Registers can be taken as forest lands. I say at least for the sake of happy

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wording of the Acts to which we are asked to be parties, let us be taken into confidence and let sufficient time be allowed. My hon. Friend Mr. Narayanaswami Nayudu with his torrential eloquence asked: 'Are you a flock of sheep or a pack of hounds.' We do not want to be placed in the position of sheep or hounds. Heavens are not going to fall by postponing this measure. Let all the unhappy language remain there, after all it is only a temporary measure. Heavens are not going to fall by passing this measure either. The members of the Congress Party are bound to support the Bill and they will certainly vote for it in spite of our objection to the wording. But let us be treated courteously. The Ordinance was passed on the 27th June 1947, and the Government knew that it would expire on a certain date. Could they not have convened a meeting of the House earlier and brought forward this Bill? In all humility and with due deference to the members on the Treasury Bench, I suggest that at least in future they will allow sufficient time.

"As regards joint committees, there was a pertinent complaint yesterday. When the Council adjourned *sine die* some time ago you, Mr. President, referred to it in your closing speech. Even that has not been taken note of. Some members of the Council may be asked to join the committees (Mr. President: 'Officially or unofficially?') officially.

"I crave the permission of the House to touch upon one point which was referred to by Dr. John also. Proviso (v) to subsection (1) of section 4 says that nothing contained in this subsection shall be deemed to invalidate any such transaction in respect of any forest or private land entered into before the respective dates specified in clause (iii), in favour of an assignee or alienee in good faith and for valuable consideration. I know how the words 'good faith' and 'valuable consideration' were introduced in the Bill. I see you are making it retrospective from 1939. I will quote one very hard instance and leave the House to judge for itself. I do not speak about the position of a zamindar, but court decisions and High Court judgments have declared that an inamdar is the owner of his land. Suppose an inamdar executes a will in 1937 in favour of a relative, stranger or anybody. Is it not in 'good faith'? Should it be for 'valuable consideration' also? I give another instance: fifteen people claimed title to a zamindari in Tanjore district as reversioners. As they had no money, 14 of these 15 people alienated the zamin including porambokes, etc., so that the alienees may claim and recover it. Objection was taken that these 14 people are not the real reversioners but the 15th. It was after 1939 when the purchaser got an alienation from the 15th that the suit was decreed in the lower Court. It went in appeal and there also it was decreed. What is to become of that man. Is the transaction rendered null and void? All these things can be placed before the Members of the Government, and they can consider them. Why then should this Bill be rushed through?

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"Yesterday, my hon. Friend Mr. Ranga Reddi said that in speaking on the resolution regarding the linguistic division of the Province, he was in a very embarrassing position. I am to-day placed in the same awkward position. I fully grant that there are three features in the trend of recent legislation—(1) expropriation, (2) retrospective effect, and (3) ousting jurisdiction of courts. Probably, they may be necessary in some cases and may not be necessary in some cases. Section 7 reads that no notification or order of the Provincial Government or of the District Collector under this Act shall be liable to be questioned in any court of law. The notification is for the purpose of determining whether a particular land in an estate is a private land or not. Section 6 says that no prosecution shall be instituted under this Act against any person without the previous sanction of the District Collector. We know cases of acquisition of lands for public purposes. So far as the determination of the public purpose is concerned, the discretion is vested in the Government, and the affected party or citizen cannot question that right. Similarly it is only as regards the notification that the power of civil courts is taken away in this Bill. So far as that is concerned, I think there is no objection and I do not agree with my hon. Friend Dr. John.

"As regards the power given to the Government to do anything necessary to remove any difficulty, I have no objection, as this is only a temporary Act and as the provision will not trample upon the rights of parties.

"Again I appeal to the Treasury Bench: 'Don't throw too much strain upon your followers. Don't come here, issue a whip and say you should vote for this and that.' I am a person who very often ruminate and see whether a thing is right or wrong and whether it is in keeping with or against my conscience. Inasmuch as the object of this measure is a temporary one and as it is intended to protect certain people—whether it will actually protect the ryot or not is a debatable question—in spite of the defects in grammar and logic, I beg to submit that this House may be pleased to accord sanction if an assurance is given that hereafter we will not be placed in this sorry predicament.

1 p.m. "I think hon. Members opposite will be pleased with the explanation which I have offered just now on behalf of the members of the Congress party who are not on the Treasury Bench. Before I came to this hall, I consulted another experienced member of the party, also a lawyer himself, whether I can make a statement like this. He said that I would be perfectly justified in doing so. Whenever we come to this House, members of the opposition have been asking us, 'Are you always surrendering your conscience? Don't you search your heart before you vote?' Well, Sir, I am prepared to explain our attitude. First of all when a certain Bill comes up for consideration in the party what we do is this. We examine it carefully. If we think that it is wrong and if the majority in the party says that it is right, then we surrender our judgment on unimportant matters. Secondly when

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it involves a matter of policy, when it requires immediate consent and when it is represented to us that by not passing that Bill, the Congress policy- and programme will either be impeded or will not be achieved, we have to adopt the attitude we are taking. But it does not mean that we do not consult our conscience or simply act at the bidding of the party whip. Therefore my reply to the opposition is this. Do not hereafter make these light-hearted remarks that we partymen always surrender our conscience and always subscribe to the dictates of the party leader. No; we do not do so. We think over the matter deeply and examine it carefully and then only we give our vote. We examine not only as a matter of principle, but as a matter of policy. Of course I am aged and perhaps I may not live long and that is why I have ventured to make all these observations and give all this advice. I have appealed to the members of the Treasury Bench in one way and the members of the opposition in another way and I have explained what I have in my mind. After all is said and done, my only wish is that this party system based upon British system of parliamentary Government should go."

* SRI B. BHIMA RAO :—" Mr. President, before speaking on this Bill, I want to make a suggestion to the Hon. President and the members of the Treasury Bench."

MR. PRESIDENT :—" I should like to know whether you are speaking about the Bill or making a suggestion. It is enough if you do not speak again."

* SRI B. BHIMA RAO :—" Sir, I am only speaking about the Bill and in speaking about it, I want to make a suggestion. I am one of those who feel quite unhappy in taking part in this legislation. I think, Sir, that one who is a conscientious lawyer and a conscientious legislator will not be a party to this legislation. We have heard members of the oppositoin saying that they will not take part in the discussion and that they are going to non-co-operate. You are the custodian of the privileges of this House. Of course the main objectionable features of this legislation have been put in a nutshell by my hon. Friend Mr. Natarajan. He said that the objectionable features are : (1) giving retrospective effect to Bills ; (2) rushing through at the last moment ; (3) depriving the jurisdiction of civil courts and (4) expropriation without compensation."

" Now, Sir, what I suggest is this. When an important section of the House has raised such an objection to the Bill and has threatened that they will not take part in the passing of the legislation and that they would walk out if this Bill is proceeded with, we must recognize that there must be something really fundamental and serious in the objection and that it should not be treated lightly. With due courtesy to the Hon. President and to the House, I may state, Sir, that a similar occasion arose in the Central Legislature when the hon. Mr. V. J. Patel, the then President of the Central Assembly, adjourned its proceedings. He observed that when an

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important body like the Congress Party in the Central Legislature did not take part in the legislation, it was not right and proper on the part of the Government to bring in any controversial legislation. Now, Sir, some members have pointed out that section 4 of this Bill has come in, in an amplified form, although the Select Committee of the Legislative Assembly had sought to remove one of its main objectionable features, namely, giving retrospective effect to this kind of legislation. Now, they are given a slap on the cheek; and this amplified section was further amended by my friend Mr. Vaidyanatha Ayyar who seemed to have introduced an amendment in the course of the debate in the other House and though it is a well-meant amendment, I am afraid, Sir, it will become illusory when actual experience is gained in the working of this Act, because most of the properties might have been transferred by some form of gift and there might not have been valuable consideration involved. Later some innocent purchaser might also be involved in such transactions and from his own standpoint he might be just, but it would not be so when looked at by a court of law. Therefore, Sir, both conditions have to prevail, namely, 'in good faith' as well as 'for valuable consideration'. No doubt, latter transactions might have been *bona fide*, and one of the parties might have parted with consideration, but he might not have reason to believe that an earlier transaction of the property might be invalid according to the present standard of legislation, which consideration would not have entered into his mind at all. Therefore what I submit is, that this legislation is bound to create a lot of difficulties, complexities and hardships and a crop of litigation will arise and some innocent persons may become victims. That being the case, I feel the same embarrassment as my hon. Friend Mr. Natarajan feels with regard to taking part in this legislation."

MR. PRESIDENT:—"Do you want the Chair to help you out of your embarrassment?"

* SRI B. BHIMA RAO:—"No. Sir; I do not want you to do that. But I think you have got powers to do so. After all, the heavens are not going to fall on the 26th October when the Ordinance lapses and if this Bill is not passed. You have got any number of transactions which occurred after the date of the Ordinance and they may be declared invalid. Why go back to 1937, and why punish those people with imprisonment and fine? These objectionable features must be removed, Sir. A Select Committee consisting of the members of both Houses can be constituted to thrash out the Bill thoroughly once again. That is my submission, Sir, and I request you to adjourn the House and see that this suggestion of mine is considered by the Government."

MR. PRESIDENT:—"I have no objection to adjourn if the Congress Party refuses to take part in the proceedings."

* DR. SIR A. LAKSHMANASWAMI MUDALIYAR:—"Mr. President, persons in my position cannot but feel considerable embarrassment, because frankly I am not in the opposition,

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and I generally feel that in a matter such as this, if the Government persist, we should consider it on its merits and give every support to the Government, if the matter is really urgent. On this present occasion may I refer to one fact which the Government have failed to take note of, when a very important measure like this is brought before this House? The Treasury Bench knows very well that this Bill is coming up before this House to-day. The discussions that have taken place in the other House should have more than impressed every one of us that there is something fundamental in this measure about which there can be no difference of opinion here also. On such an important measure, I really deeply regret—I will not say anything further—that the Hon. Minister in charge of the Bill should not have shown us the courtesy of being present here and should not have cared to explain the position more fully than any other member of the Treasury Bench can possibly do. For, I feel that the Hon. Minister in charge of the Bill had opportunities to contact many members of the Legislative Assembly and had opportunities to know from a deep study of this question,—for many many months, I take it,—something substantial which guided him to reach the conclusions he arrived at and which he finally placed before the Legislative Assembly. It is a matter once again of deep regret to some of us in this Council that that ordinary courtesy which we can very legitimately claim should not have been extended to us when such an important measure as this has been brought forward.

“ Sir, the Hon. Minister who moved this Bill has laid emphasis on the fact that it is a matter of great urgency, because the Ordinance will lapse on the 26th and nothing will take place afterwards. Now if you will refer to section 4 (1) you will find that this is a Bill which gives retrospective effect and if we are going to adopt this Bill, why should we not adopt it at any stage or on any day? Section 4 (1) states that ‘any transaction of the nature prohibited by section 3 which took place, in the case of any communal or forest land, on or after the 31st day of October 1939 and in the case of any private land in a notified estate, on or after the 1st day of November 1945, shall be void and inoperative and shall not confer or take away, or be deemed to have conferred or taken away, any right whatever on or from any party to the transaction: Provided, etc. . . .’

“ Now this clause takes away the bottom of the case put forward by the Hon. Minister who pleaded for the urgency of this legislation. If this Bill is necessary to-day, it certainly can be passed six months later or one year later so long as the principle of giving retrospective effect to certain provisions of it remains. I cannot therefore understand what the urgency is and I should like to have some explanation from the Treasury Bench as to how it becomes so urgent. If the Government had made up their minds and if the Legislative Assembly had made up its mind that retrospective provision is not only wanted but is also essential and will be put into effect, then I say that there is absolutely no urgency

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for this measure at all. Those of us who have read the proceedings in the newspapers have reason to believe that a compromise was arrived at at the last moment. I welcome such compromises everywhere, but the result of this compromise has been, I must confess—I am not going to the same extent as my hon. Friend Dr. V. K. John has gone, because of his legal knowledge he can do so—a great deal of confusion in the wording of section 4 and the sub-sections thereof. I do not think that the Government has had time to consider the compromise that has been reached in the Legislative Assembly—I stand subject to correction—and I would request the hon. Leader of the House to inform us whether such an important provision as that, which had been added to this Bill after the compromise, had been considered and discussed by the Cabinet and whether the Government had enough time to bestow its thought on the various provisions that were introduced at the last minute so as to expedite the passage of the Bill. All these are quite relevant considerations. I do not know whether the Cabinet as such has had an opportunity to consult its legal authority which generally gives advice on such matters, in regard to this particular provision, for I feel sure, Sir, that if that legal authority had been consulted and if the Government had taken the necessary time as they should have, on such an important and fundamental issue like this, surely the provisos to that clause would have been entirely different from what they are.

“Sir, I am not speaking from a legalistic point of view, but only from the point of view of a common man who has got to bear all the rigours of this measure once the other House and this House approve this particular clause and it is given effect to.

“Let me go straight into some of these considerations. It has been suggested that certain transactions will be exempted from the operation of this Act, provided they have been done in good faith and for valuable consideration. Now, Sir, this is a matter which is going to open the flood-gates of litigation and none except the bar will be happy at the prospect of such a legislation.”

SRI B. BHIMA RAO :—“There are conscientious lawyers too.”

* DR. SIR A. LAKSHMANASWAMI MUDALIYAR :—
“Conscientious or not, when once your client comes to you, you are bound to give him the best advice possible. That is how I understand lawyers are doing their duty by their clients. On the one hand, everyone will have to go to a court of law for some reason or other on account of this particular provision, and on the other hand, there is a power vested with the Government—I do not for a moment offer any remarks; I will not make any insinuations and I will be pardoned if anybody misconstrues me on that subject—there is a power on the part of the Government to take these transactions before a court of law. Who is going to exercise it, and how? First of all Sir, it will be the Collector. Section 6 says: ‘No prosecution shall be instituted under this Act against any person without the previous sanction of the District Collector’.

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Now, I am, particularly when democratic assemblies are functioning, really dreadful of a power like that being given to any Government for the time being. It is true that this Government is there. They may know the provisions of this Bill and I am sure they will exercise it wisely. But are we sure that a Government that will come on a later day will have those provisions in mind and are we sure—to be quite frank—that discrimination will not be the order of the day when certain vested interests will get off much easier than others so long as this particular provision is there? Who is to judge it? Is it the Collector? How is he to judge and on what grounds? It seems to me, Sir, that this is a matter which requires some further consideration than the Government have found it possible to bestow. I do not blame them. I know the tense atmosphere that must have prevailed in the Assembly—I can well realise it—the atmosphere—as has been referred to by my hon. Friend Mr. Suryanarayana Rao—must have probably forced them to take up this attitude. But still this is a matter which requires very serious consideration at the hands of the Government.

“Then, it is stated that a District Judge shall be the person who will consider these cases. If he is the person to consider them, what is the significance, I do not know. I therefore venture to request the Hon. Member to enlighten me. What is the significance of the provision in clause (5) of section 4 which says :

‘The Provincial Government may, by notification in the *Fort St. George Gazette*, make rules for the purpose of carrying the provisions of this section into effect, and in particular as to the fees to be paid in respect of the applications referred to in sub-section (3) and the procedure of the District Judge.’

What are the rules that this Government are going to make for the District Judge in regard to the trial of these cases? ”

THE HON. SRI K. MADHAVA MENON :—“Fees, summons, etc., who is to present the petition, where is he to present the petition, and all those things.”

* DR. SIR A. LAKSHMANASWAMI MUDALIYAR :—“If that is the case, I shall not take up more time over that point.

“I see one other clause to which reference has already been made. That is the last clause, which is an omnibus clause; it gives to the Government every power wherever they need it and to whatever extent they may care to exercise it, not only for the immediate implementing of these provisions of the Bill, but for all time to come. It says :

‘If any difficulty arises in giving effect to the provisions of this Act, the Provincial Government may, as occasion may arise, by order do anything which appears to them necessary for the purpose of removing the difficulty.’

Such provisions may be all right in Acts which are passed for the general good of the public or for emergency legislation. For

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instance, if my hon. Friend were to bring up a Public Health Act, I would readily support, because nothing can be done by the Government which could not be in the interests of the general public and it would be impossible for the Government to anticipate everything. But where a piece of what may be called expropriatory legislation is to be passed in this House, it seems to me that we are giving the Government far more powers than they need have or than they should have; and the possibilities are that if the Government are not very careful, those who on behalf of the Government are called upon to work this Act may not be as considerate as the Government themselves. I have on a former occasion referred to this point and have stated that when we say 'the Government,' it is not the Minister in charge, it is not the Cabinet, but it is those persons to whom this power will be delegated, who will be asked to carry out these measures to a very large extent—it is they who will be really acting on the provisions of this Bill and who will be the executive authority for this particular Bill. I am afraid, Sir, in a measure which vitally affects the interests of the people—for after all, whatever may be our view point about general moral standards, the world to-day is unfortunately in the grip of financiers and it is money that counts in every walk of life—I feel that such extraordinary powers will prove harmful to the Government themselves and will bring in a certain amount of criticism very unjustly because these extraordinary powers are not unlikely to be put to other uses than what they were intended for by agents of Government over whom it is impossible to have that complete control which a Government should have. My suggestion therefore to the Government is this: firstly, the Government must satisfy us in view of section 4 (1), that there is an urgency to pass this measure, secondly that even if this legislation is passed, a further measure amending this Bill, completely redrafting it and recasting it in the light of proper legal opinion, is the only thing that can legitimately be claimed by this Government and which this Government ought to do. This sort of compromise arrived at at the eleventh hour for the sake of a certain amount of unity is not the basis on which a very important and very far-reaching measure of this type should be based. I therefore appeal to the Government while I may not be in a position to stage a walk-out—I have never believed in those who stage a walk-out, and I do not propose to give a lead in that matter—I would respectfully request the Hon. the Leader of the House and the hon. Member who has moved this motion to consider and enlighten us whether, in the light of my reading of section 4 (1) there is any urgency at all for this measure and secondly if this Bill is passed, as it is bound to be passed from the point of view that Mr. Natarajan referred to, whether they will take steps to re-examine the provisions of this Bill and come before this House and the Lower House and tell us exactly how this Bill should be recast in order to put it in proper legal phraseology."

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* SRI S. B. ADITYAN :—“ Mr. President, Sir, it has been suggested by some members that this legislation is being rushed through. I can understand that statement coming from some member of the Opposition, but that the statement came from some of the Congress Party Members is somewhat surprising because this question has been discussed not for days but for weeks and every clause of the Bill has been discussed for many hours at a stretch, and the Bill now before the House is the result of all that thorough discussion. Sir, I do not feel unhappy in supporting this Bill; on the other hand, I feel very happy that it has been brought so quickly. Whether you feel happy or unhappy over this legislation depends on the angle from which you view the whole matter. There are some to whom vested interests are sacred, and could not be easily changed; on the other hand, there are others who feel that these so-called vested interests are an unhealthy accumulation which the sooner done away with, the better. This legislation has been called expropriatory. That is one view. That is the view which is put forward by those who worship these vested interests. There is also the other view, that what is sought to be done is merely to deprive those who have made unlawful gains which are not sacred just because they have been retained through generations. What is touched by this particular Bill is the common land and the forest land. The view has been expressed by certain members that these belong to the zamindar and as such we are trying to do something against private interests, to seize properties which are sacred by law. On the other hand, it is also the view that communal and forest lands belong to society for use for common purposes, and by taking them away from the zamindar, the Government are taking them away on behalf of society.

“ It was also mentioned that the punishment provided here is rather severe. What is provided is imprisonment for some months and fine. As against that, there is the view that persons who are in unlawful possession and who seek to do away with the land instead of allowing it to be transferred to the Government and through the Government to the society, people who want to transfer it to their own relations, to their next-of-kin, such people deserve to be punished. My learned friend Dr. John said that there is nothing in the Bill which is not provided for in the common law. That is not the case, Sir. Take the case for instance of a zamindar trying to alienate his land to a relation of his, as a gift. That was mentioned by Mr. Natarajan. That is not affected by the common law, but nevertheless prevented by this particular Bill. Some objection was also raised to the provision whereby the rights of the court to interfere are sought to be restrained. As a lawyer, as one who has practised for a good number of years, I know the idea of the executive trying to take legislative powers for themselves, trying to deprive the courts of their due functions, is disliked by lawyers. But this a temporary measure and it is well recognized that in a temporary measure of this nature the executive should and

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ought to try to prevent unnecessary litigation. Dr. Lakshmana-swami Mudaliyar said this Bill would open the flood-gates of litigation; I say it is exactly to prevent such a thing that this particular clause has been put in.

“ It has also been mentioned that this Bill has created some tension. It is quite true. It has brought to the forefront the clash which exists not only among members of the society but among the members of the Congress party itself. The Congress organization has been and still continues to be common to all classes of society. There are big zamindars and inamdars in it and also people who are from the lower rungs. The clash has been brought to the forefront, and it is now known that tension did and does exist. Those who worship the vested interests have tried their best to prevent this legislation coming on at this stage. Fortunately, some of us supported this measure in such a strong manner and insisted that it should be brought up as quickly as possible and I should really congratulate the Hon. Revenue Minister on having brought it up now, so that now at least justice may be done to the poorer sections of our people.”

At this stage the House rose for lunch.

(After lunch—2-30 p.m.)

DR. V. K. JOHN :—“ Mr. President, Sir, I request you to kindly allow me to move for adjournment of further discussion on this Bill to enable us to bring in necessary amendments. We have had no time to bring in such amendments. This Bill was passed late in the evening on Saturday in the Assembly and this came up here to-day and we have had no time to consider it and to move amendments. It has got retrospective effect. . . .”

MR. PRESIDENT :—“ What does the hon. Member want ? ”

DR. V. K. JOHN :—“ I want to move adjournment of further discussion of the Bill.”

MR. PRESIDENT :—“ Copies of the Bill were circulated to hon. Members on the 19th morning itself.”

DR. V. K. JOHN :—“ But we have had no time to bring in amendments in the light of discussions which we had here.”

MR. PRESIDENT :—“ Hon. members had full two days.”

DR. V. K. JOHN :—“ That is not sufficient time to consider, propose and move amendments. It is so important a measure. We do not always ask for such adjournments. We co-operate with the Government without any demur or opposition whenever it is possible to do so.”

MR. PRESIDENT :—“ The hon. Member is aware that to-morrow onwards till the 26th are holidays. So, if it is a question of adjournment, then, this will not become law before the

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26th. If it is the idea of the hon. Member, Dr. John, to move amendments, he may do so and I will put them to the vote of the House."

DR. V. K. JOHN :—" As the Bill is to have retrospective effect, there is no difficulty at all; it need not become law at present. So, Sir, I move for the adjournment of further discussion of the Bill."

* SRI R. SURYANARAYANA RAO :—" As it is a very important measure, we would like to read the proceedings of the other House and if the Government will be pleased to supply copies of the Select Committee Report, we would like to read them also. It appears to be an innocuous Bill and from what has appeared in the papers, its significance seems to be much more. I do not speak on the merits of the Bill. There may be many merits. But many defects have been pointed out by hon. Members on this side of the House and I think, Sir, it will redound to the credit of Government if they should enact a legislation with the help of the Legislature, a legislation which will not be found fault with by the judges or by the judiciary such as bad grammar, bad drafting, etc."

MR. PRESIDENT :—" I thought the hon. Member said that he would not take part in the discussion."

SRI R. SURYANARAYANA RAO :—" As I would like this subject to be adjourned I support Dr. John's motion."

MR. PRESIDENT :—" The question is whether the motion for adjournment is in order. I have given you two days' time and the hon. Member, Dr. John, could have told me this morning itself that he wanted to move adjournment of further discussion. I do not think it is in order."

DR. V. K. JOHN :—" In order to do justice, a legislative House or a Court has always jurisdiction to act in a manner that will be conducive to the administration of justice. To do justice to this Bill, the House has jurisdiction to adjourn further discussion and the Hon. President has jurisdiction to adjourn discussion of this Bill in the interests of the public."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" This to me, Sir, seems to be an extraordinary occasion, because some members opposite also feel with the members of the Opposition. Mr. Natarajan said that he might not live long—we all pray for his long life—and even gentlemen like Mr. Bhima Rao have come forward to give expression to their views. In spite of the fact that these hon. Members felt that they were in an embarrassing position, they gave expression to their own views. But, naturally, there will be the whip and they will have to vote the other way. Anyhow they have given expression to their views. Sir, this is the first occasion when members on the opposite side came forward

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with their own views so openly and they gave a frank expression of their views on the Bill. When I moved my Bill for the prevention of betting on horses some members opposite felt that they could not conscientiously vote with the Government, when they went out of the House, they gave expression to their views. This is the first time they have come forward to express their views and this Bill is an eye-opener not only for members on this side of the House but also for those members opposite whose views cannot be suppressed in the manner in which they are sought to be suppressed."

MR. PRESIDENT :—" That is not going to better or improve the Bill."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" I agree with you, Sir. I also appreciate the manner in which you are allowing us to have a free and frank discussion on an important matter like this. Therefore, Sir, I think that there is very great reason for supporting Dr. John's motion for adjourning the discussion on this subject. I do not think anything will be lost by postponing discussion for the present. As a matter of fact, the Leader of this House and the Hon. Madhava Menon are members of this House. What the members of this House want is that they should be shown proper courtesy and they should be given sufficient time. Apart from that fact, you are the custodian of our rights and you have been safeguarding our rights in the proper manner."

MR. PRESIDENT :—" I have been trying to safeguard the interests of hon. Members here. I have been at great pains to give sufficient notice. It is due to my efforts that hon. Members got two days' notice of this Bill. So, I do not think there will be any difficulty in proposing amendments."

* THE HON. SRI K. MADHAVA MENON :—" I would request the Hon. the President to waive the three days' notice provided in the rules. I am opposing the adjournment motion of Dr. John. He says he wants to move amendments at this stage. Even in the morning when he spoke, he never mentioned about any idea of moving any amendments. He generally criticized the Bill on very vague grounds. Apart from that, there was two days' notice. Two days is ample time to move any sort of amendments. I see, Sir, that the feeling has come only after lunch and it is not a proper ground for moving an adjournment motion and it should not be allowed at this stage. I do not dispute the Hon. President's discretion to allow the adjournment motion but the present measure is so urgent and important that the adjournment of the discussion should not be allowed."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" I thought the Hon. Minister was interrupting me. I had not finished what I had to say. As a matter of fact, Dr. John has voiced the feelings of members on this side of the House as well as of members on the other side. I am sure many hon. Members

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on the other side feel with the majority of members on this side. Dr. John simply took the clue from some of us and moved the adjournment motion."

MR. PRESIDENT :—" What does the hon. Member exactly want?"

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" We want an adjournment of the discussion, Sir, to consider this question in a cooler atmosphere."

THE HON. DR. T. S. S. RAJAN :—" It is very cool to-day " (Laughter.)

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" The atmosphere may be cool but the discussion is not. Therefore, we want some time to consider the Bill and to give amendments. Nothing will be lost by giving us time. As a matter of fact, a number of speakers have pointed out, that, as you are going to give retrospective effect to the clauses of the Bill, nothing will be lost by giving some more time for considering the Bill properly. As a matter of fact, let not the outside world look down upon the Legislature. I know that the Legislature and members of the Legislature have been looked down upon by higher quarters such as the Chief Justice of the High Court in matters like this."

THE HON. DR. T. S. S. RAJAN :—" We do not wait for a certificate from the Chief Justice, and we are not here to please anybody."

* ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" It is not a question of pleasing or condemning anybody. We frame laws ; but those laws should be framed in such a manner as not to give room for any criticism or in a manner which will give room for the courts to find fault with them. For this reason, Sir, we should be given sufficient time before enacting any measure. Therefore, I submit, Sir, that in order that people may not look down upon us, sufficient time should be given before deciding this question. Therefore, Sir Dr. John is perfectly right in asking for the adjournment of the discussion of this question."

2.45
p.m.

MR. PRESIDENT :—" What has the Leader of the House to say?"

THE HON. DR. T. S. S. RAJAN :—" This is a most unusual procedure in any Legislature. We have proceeded half way in our discussions and when it has lasted for more than 2½ hours the hon. Member takes into his head to create a stunt perhaps, after a good lunch. This procedure cannot be accepted in any House. I am not a lawyer and therefore I am not worried about the legal aspects like so many people on the right as well as the left. I always keep my head cool and have a sort of instinctive common sense which guides me. If I had legal knowledge I might have confused

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myself. Our hon. colleague Dr. Lakshmanaswami Mudaliyar did not confuse himself with these legal points but he put a plain point of view and he said Government should give an assurance that whatever fault there is in the Bill it will be corrected and brought into the Legislature which looked like the right sort of thing. The whole thing was over and we had to give the chance to other members to speak but the fact that one or two of the lawyers are on this side and supported indirectly in a way, the Bill seems to have upset our friends of the opposition to think mistakenly that there is a case for adjournment. It is absolutely necessary, Sir, that you as the custodian of the rights of the House should not permit the adjournment motion."

DR. V. K. JOHN :—" This is not an adjournment motion, but a motion for adjournment."

THE HON. DR. T. S. S. RAJAN :—" Probably the legal instinct in Dr. V. K. John has prompted him to put me correct. I am not a lawyer as I stated already and such reverses of the word from one position to the other will satisfy only legal conscience."

MR. PRESIDENT :—" Can the hon. Member Dr. John refer to the rules and tell me whether there is any provision for adjournment of the debate? I am not aware of any."

DR. V. K. JOHN :—" There is no provision against it, Sir, and it will be doing bare justice if the House is allowed further time for consideration of this Bill."

THE HON. DR. T. S. S. RAJAN :—" Lawyers have become positively dangerous to-day."

SRI B. NARAYANASWAMI NAYUDU :—" I think there is provision, it may not be in writing."

MR. PRESIDENT :—" I must agree with the Government. It is rather unusual that such a request has been made now and if it had been made before we started business I might have considered it. I was anxious to give the House as much notice as possible and the House had full two days to give amendments. The purpose of the present motion is to enable members to give amendments. I do not think there is any other purpose behind this motion for adjournment except that hon. Members wish to give such amendments as they like and I do not think the hon. Members have satisfied me that they could not have given them within two days or at least this morning. Such a request could have been made this morning and I would have given them time till lunch to propose such amendments. Moreover, Rules 102 to 112 which govern the conduct of the Bills originating from the Assembly do not contemplate any motion for an adjournment of this kind to enable members to give amendments. Even now no amendment has been given to me. They are asking for adjournment to enable hon. Members to give amendments later on. I am very reluctant

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to disallow this motion for adjournment. I am sorry I have to do it but I find there is no other go. The discussion may now be continued."

*SRI S. A. S. RM RAMANATHAN CHETTIYAR :—" Mr. President (Some voices : ' English Speech ! ') பாக்கி எல்லாம் தமிழில்தான் வரும். இந்த பில்லானது பல அறிவாளிகளாலும் பெரியார்களாலும் பேசி ஒரு தினுசான நிலையில் இப்பொழுது இருக்கிறது. அதைப்பற்றி நான் அதிகமாக பேசப்போவது இல்லை. ஆனால் Lower Assembly-ல் 212 மெம்பர்கள் இருக்கிறார்கள். இங்கும் 56 மெம்பர்கள் இருக்கிறார்கள் என்பதாக என் ரூபகம். 212 மெம்பர்கள் இருக்கிற இடத்தில் Select Committee-க்கு அனுப்பி யோசிக்கும் காலத்தில் இந்த 56 மெம்பர்கள் இருக்கிற கவுன்சிலை ரூபகத்தில் வைத்துக்கொண்டு இரண்டு, மூன்று பேர்களையாவது அந்த Select Committee-ல் சேர்த்திருந்தால் இப்பொழுது இந்த பேச்சுக்கு இடம் இருந்திருக்காது. இதற்கு முன் அநேகம் பில்கள் பாசாகி இருக்கிறது. ஒரு பில்கூட கவுன்சில் மெம்பர்களை Select Committee-ல் சேர்த்து Pass செய்யப்பட்டதாக தெரியவில்லை. "

THE HON. DR. T. S. S. RAJAN :—" நேற்று பில்லில் சேர்த்திருக்கிறார்கள். "

SRI S. A. S. RM. RAMANATHAN CHETTIYAR :—" நான் நேற்று இல்லை. அப்படி சேர்த்தபொழுது நான் இல்லாததால் எனக்குத் தெரியவில்லை. இருந்தாலும் இப்பொழுது அதற்கு ஒரு பரிகாரம் easy யாக செய்யலாம். தலைவர் அவர்களும் கவர்ன்மெண்டு அவர்களும் சம்மதித்தால் அந்த பரிகாரத்தை செய்வதற்கு இன்றைக்கு டயமிருக்கிறது. ஏதாவது 2, 3 பேர்களை இப்பொழுது Select Committee-க்கு போடுவதாக வைத்துக்கொண்டு இப்பொழுது கூட்டத்தை ஒத்திவைத்து பிறகு ராத்திரி 9-மணிக்கு திரும்பவும் meeting வைத்துக்கொண்டு, இது அவசரம் என்று சொல்வதால் இன்றைக்கே Pass செய்யலாம். "

MR. PRESIDENT :—" இன்று Select Committee கூடுவதற்கு இல்லை. சட்டம் கிடையாது. "

SRI S.A.S. RM. RAMANATHAN CHETTIYAR :—" சட்டம் இல்லாவிட்டால் சட்டத்தை மாறுதல் செய்தாவது பாஸ் செய்யவேண்டும். இங்கே இருக்கிறவர்களை Select Committee-க்கு அதிகமாக சேர்க்காவிட்டாலும் வெளியிலிருந்து 2, 3 பேர்களை சேர்த்துக்கொள்ளலாம். வெளியில் என்ன சொல்லிக்கொண்டிருக்கிறார்கள் என்றால் வேண்டுமென்ற வாய்க்கொண்டு நீங்கள் என்ன செய்கிறீர்கள் என்று கேட்கிறார்கள். அப்படி 2, 3 பேர்களை சேர்த்தால் இவ்விதம் கேட்க இடம் இல்லாமலிருக்கும். இந்த கவுன்சில் மெம்பர்களில் 2 பேரையாவது கமிட்டியில் சேர்க்கும் சந்தர்ப்பம் இருக்கும்படி சட்டத்தை திருத்தவேண்டும். மாகாணத்தில் வெளியிலிருக்கிறவர்களைக் கூட சேர்க்கிறார்கள். மெம்பர்களாக இல்லாதவர்களைக் கூட சேர்க்கிறார்கள். சட்டம் குறுக்கே நிற்காது. இஷ்டமிருந்தால் சேர்த்துக்கொள்ளலாம். சேர்த்துக்கொண்டு நல்லது செய்தால் நன்றாக இருக்கும். ஆனால் 26-ம் தேதிக்குள் பாஸ் பண்ணவேண்டுமென்று சொல்லுகிறார்கள். 9 வருஷத்திற்கு முன்னிலிருந்து காத்தவருவதனால் இன்னும் இரண்டு மாதங்கள் சந்தர்ப்பம் அளித்தால் இந்த மாதிரி பேச்சுக்கு சந்தர்ப்பம் இல்லாமலிருக்கும். செய்யப்போகிறோம் என்றால் யாரும் தடை செய்யப்போவது இல்லை. விஷயம் எப்படி இருந்தாலும் பிரிந்துபோகப்போவது இல்லை. சொல்லவேண்டியதை சொல்லவேண்டுமென்பதற்காகச் சொல்லுகிறேன். ஆகையால் இனிமேல் எந்த கமிட்டி நியமித்தாலும் கவுன்சிலிலிருந்து 2, 3 பேர்களை அவசியம் எடுத்துக்கொள்ளவேண்டுமென்று. . . "

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" 2, 3 பேர்கள் மட்டும் தானே சேர்க்கவேண்டும் ! " .

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SRI S.A.S. RM. RAMANATHAN CHETTIYAR:—“ 56 பேர்களுக்கு 2, 3 பேர்கள் போதாதா? ஏதாவது மெம்பர்களை இந்தக் கவுன்சிலிலிருந்து நியமிக்கவேண்டும் என்று Lower Assembly-க்கு யார் காரணஸ்தர்களோ அவர்களை மன்றாடிக்கேட்டுக்கொள்ளுகிறேன். ”

* **SRI C. N. MUTHURANGA MUDALIYAR:**—“ Mr. President, Sir, I am glad I have been enabled to speak on the Bill under discussion once again. I was anxious what my friend Dr. John's motion for adjournment will do but fortunately, Sir, you have ruled it out of order and we are again in the midst of the discussion of the Bill.

“I really support this Bill that has been presented in this House though I had my suspicions about the Bill as it originally appeared. My objections have mostly been solved after the Select Committee examined this Bill and it has now been passed by the Assembly. No doubt originally I was given to understand that this Bill affected only the Zamindaries and even amongst them the impartible estates only. I do not know if that is true and I do not know whether they do not affect the inamdar also. The second clause to section 1 says 'It extends to all estates in the Province of Madras governed by the Madras Estates Land Act, 1908.' The inam villages are not governed and have not been governed by the Estates Land Act of 1908. The inam villages have been brought in only in the 1936 Act. So I am led to believe even as it is this Bill does not affect the inam villages but even if it should affect the inam villages there is not much of communal lands or forest lands in inam villages as there are in Zamindari villages. Moreover several amendments have been carried out in the Select Committee by exempting 20 acres and less and all these things have removed several of the poisonous fangs of this Bill and I do not see any objection to pass this Bill as it is. We need not have to adjourn this discussion and gain time to move amendments. We know what the fate of these amendments are going to be. Once it is passed in the Assembly—you need not laugh at me—(referring to Dr. John), I maintain that this Council has not got any real powers and it has not got any right to exist. That was my contention and you need not laugh at me. You may laugh at the fact that we have agreed to sit in this House which has no power. So, Sir, we need not adjourn or move amendments. We can agree to pass this legislation as it has emerged from the Assembly. Mention was made that a tense situation had arisen in the Assembly. And what is it that it has created; this tense situation has produced some slight modification in the Bill. You will also readily admit that after all these tense situations are created more by the press than the reality of the situation warrants. Sincerely. I say there has been no tense situation at all and here and there some members may disagree with the general trend of opinion and they may threaten to resign and they may reconsider it after some modifications had been effected in the Bill. These

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are all ordinary happenings and one need not describe it as a tense situation and as a crisis in the Ministerialist Party; all these are mere propaganda. I am sorry my hon. Friend Mr. Natarajan should have dilated here upon differences in the party and that has encouraged my friend Dr. John to move this motion for adjournment. He should not be influenced by the criticisms of the Opposition. It is the duty of the Opposition to oppose and to criticise and in their opposing, they will certainly adduce arguments and if arguments fail, they will abuse the other side. They will say: 'You are all sheep; in the Congress party, you have developed the herd instinct; you talk one way and vote the other way.' We should not be carried away by it. We should take all that coolly. Whatever they say, we must take them as endearing terms."

K. T. M. AHAMED IBRAHIM SAHIB BAHADUR :—" The hon. Member specifically stated that when the Opposition has no arguments to make, it will abuse the other party; that is attributing motives. Is it parliamentary? "

* SRI C. N. MUTHURANGA MUDALIYAR :—" I do not take all that was said of us from the Opposition as abuse. We were quite easy of mind and happy and cool when we were referred to as sheep and possessing the herd instinct. I may tell you, Sir, yesterday during the discussions on the formation of linguistic provinces, we were admonished that we were quarrelling that we were fanatical and if in the midst of the present day bitterness, a boundary commission were to be appointed, we were bound to quarrel as the quarrel which has arisen in North India. Now I feel glad that we were called sheep and that we show the herd instinct quite often."

MR. PRESIDENT :—" I do not know if anybody called you sheep."

SRI C. N. MUTHURANGA MUDALIYAR :—" At least the Congress party can take credit for the herd instinct and I appeal to all sides of the House to join the Congress party and acquire this sheep instinct so that we can all act unitedly and not quarrel, when the boundary commission is appointed.

" With these words, I beg to support the motion to consider the Bill as passed by the other House."

SRI N. RANGA REDDI :—" Mr. President, I would not have participated in the discussion but for the fact that during the course of the discussion, my hon. Friend, Mr. Natarajan, has brought in my name. It is unfortunate that differences in the party should be thrashed on the floor of this House. It is to nobody's interests. If there had been any differences in the party, members who hold one view had their full say and every point has been fully thrashed out and the principle introduced in the Bill represents the unanimous conclusions arrived at that time. If still there are some differences, I should submit they are not very great and have to be acquiesced in as being the decisions of the majority."

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MR. PRESIDENT :—“ You had never any doubts about the Bill? ”

SRI N. RANGA REDDI :—“ No, Sir. (An hon. Member : ‘ Mr. Natarajan was merely consistent in his attitude. ’)—Very often consistency is not a virtue and some times one has to be inconsistent.

“ One of the points urged against the Bill was that it does not benefit anybody. I wish to submit to the House that it is not so; on the other hand, it is intended to benefit the whole society. Ordinarily, when legislation is passed, generally it benefits one individual or the other. But so far as this legislation is concerned, it benefits all. It has been said that it does not benefit anybody because neither the vendor nor the vendee want to agitate for their grievances and therefore, it does not benefit anyone. The transactions occurring after a particular date have been declared void and the principle has been that communal lands and forest lands belonged to the state and the state is interested in them, not only in the distribution but in the proper administration of them and every one of us is entitled to have a share in the welfare and distribution of those lands. There is not much point in saying that it does not benefit any one; but on the other hand, this is the one Bill which benefits all people in the presidency and not anyone in particular.

“ The next point is that this House has not been taken into confidence in the framing of this legislation and had not been called upon to take a share in the debates on it in the Select Committee stage. It is no doubt true that this House should be as zealous with regards to its rights as the other House in measures which are brought before them to be discussed in Select Committees. On that point, the Leader of the House has given the assurance that members of this House will be taken into confidence and that they would be entitled to sit in Select Committees. Therefore, we may rest satisfied with the assurance that the rights and privileges of the House will be honoured and respected in future.

“ Hon. Members are aware that the principles of the Bill have been in the air for a long time. Hon. Members are aware that in 1938, the Prakasam Committee enquired into the zamindari problem and they also went into the question of communal and forest lands. The Report was submitted but before legislation on the basis of that Report could be introduced, the Congress Ministry went out of office and it was not possible to proceed with the legislation. The Adviser regime which succeeded was not interested in introducing legislation concerning the welfare of the tenants. All the same, the report was published and it was available to one and all. People who were interested in keeping these private lands and communal lands so far now began to make profits by alienating them to their friends and relations and to their next of kin and having sold what they could, they wanted to claim what was left as their own. There were friends who cited precedents

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and said that this ought not to be done. On such and such occasion, it was not done, the same precedent must be followed now and it must not be done now, so they said. Let me tell you that it is for purposes of setting aside such alienations and mortgages that the Bill is intended. For if on each occasion and on each matter, we were to go to the court of law, it would mean waste of time and waste of money. If this Bill is not brought in, what will be the position of the buyers? He will be just in the position as any other purchaser of property and his right therein is inviolate as it belongs to him and not to the State. The principle of the Bill proceeds upon the assumption that the zamindar is not the proprietor of the communal or forest lands but that he is only the rent collector and therefore, he does not possess a right to dispose of it. If the Government have to go to a court of law in each case, it will take a long time and there is also the question of cost and that is why provision has been made declaring transactions after a particular date null and void.

"What was enacted in clause 5 of the Ordinance is re-enacted in the Bill in clause 6. I must submit that this is a very salutary check. It is well known that so far as the criminal law is concerned, anybody can set it in motion."

MR. PRESIDENT:—"Did anybody object to that power being given to the Collector?"

DR. SIR A. LAKSHMANASWAMI MUDALIYAR:—"If I may be permitted to say so, it is not that the Collector may not prosecute but that he may not be able to prosecute."

SRI N. RANGA REDDI:—"In my opinion, there must be somebody to hold up prosecutions as a sort of check against indiscriminate or improper prosecutions and for that purpose the person that sanctions the prosecution is the best person to be empowered in that behalf. Otherwise, there may be indiscriminate prosecutions or persons not concerned might be prosecuted. The District Judge is also invested with powers to sanction prosecutions but it could only be done after holding enquiry and recording evidence. But the District Collector is an executive officer and he can see the records prepared by the investigating staff and take the necessary action. It is necessary that some section like that should be introduced; otherwise innocent people might be prosecuted unnecessarily. I support the Bill brought by the Hon. Minister."

* THE HON. SRI K. MADHAVA MENON:—"Mr. President, 3-15
Sir, after the question of this House not being taken into con- p.m.
fidence in matters of legislation by not being given sufficient representation on select committees was considerably thrashed out yesterday, I did not anticipate the bitter complaints about that to-day also, when I moved this Bill giving the reasons why there could not be a select committee of this House. Mr. Suryanarayana Rao was not doing justice to me when he said that I wanted to treat this House as a set of school boys, and that it

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could swallow anything easily. When I said that this is a simple measure, I said so because the matter was sufficiently for a long time before the House and the public, and more because I knew that this House is too mature for all this. Even for school boys in these days, we will think twice before telling them that they would be disregarded. So, it is not fair to say that this House is being treated like school boys. It was far from my idea. On the other hand, knowing the experience and the intelligence of this House, I thought that there was no necessity for me to explain more than what has been said in connection with this Bill. Sir, it is very easy to raise many objections. Dr. John, an able lawyer as he is, wants to make out that the whole thing is absolutely useless; absolutely redundant, unnecessary, unwarranted, and again there is neither law, nor sense nor anything in this Bill. It is very easy . . ."

MR. PRESIDENT :—" You do not take it as an abuse."

THE HON. SRI K. MADHAVA MENON :—" I am here to hear the abuse, Sir. (Laughter.) I do tolerate abuses being hurled, and our skins are sufficiently tough; (more laughter) and we are not worth to be here if we are not sufficiently tough in our skins. After all, I do not take it as an abuse even calling as a sort of sheep, herd instinct, etc. Because, in these matters, I take it as a compliment that we can follow where the lead is given. It is easy to raise a bogey of an imaginary defect in a thing and make it a very big one and say that a great injustice is being done. I will take one instance. Dr. John said that it is the nature of the Government to distrust Courts, or the whole thing is a distrust of courts, and he also said, a great lawyer as he is, that clause 7 ' No notification or order of the Provincial Government or of the District Collector under this Act, shall be liable to be questioned in any Court of Law ' is a complete distrust of courts. This is what Dr. John makes much of, but he conveniently forgot sub-clause (4) of clause 4 which would show that not only we have no distrust of Courts, but considerable trust and respect and belief in courts. In sub-clause (3) to clause 4, we have provided ' If any dispute arises as to the validity of the claim of any person to any land under clauses (i) to (v) of the proviso to sub-section (1), it shall be open to such person or to any other person interested in the transaction or to the Provincial Government, to apply to the District Judge of the district in which the land is situated, for a decision as to the validity of such claim '. Does this show want of trust in courts? Is it not simply a matter of propaganda to say that this Government is out to do away with courts. Mr. Natarajan also said that it is want of trust in courts. It is not want of trust in courts, but it is the distrust of eminent lawyers."

MR. PRESIDENT :—" That is why Dr. John has complained against you."

* THE HON. SRI K. MADHAVA MENON :—" Because, only in an emergency we pass an order, and if it is not to be taken

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to a court of law it is not distrust of courts, Sir. I was one of those who have been practising as a lawyer as Dr. John. The provision for emergency orders is for action by the executive when necessary. It is very wrong to say or create a feeling that there is distrust of courts. The gravamen of Dr. John's charge is that 'whom are we going to protect by this bill'. Where is the sanctity of private property? Why should not the owner of a property deal with it as he likes? Are you not restricting his liberty of alienating his property? I beg to submit, Sir, that every law is, to some extent, a restraint upon individual liberty. If they are not going to grant that, we will not be able to prevent theft. I do not want to make more ridiculous comparisons. But I would only say that every law puts a restraint upon individual liberty and it does not allow persons to do things as they like, and so, the only question is if a restraint on individual liberty is in the interests of the community as a whole, or in the interests of the majority of the community as a whole, and it is for their social well being, we allow that restraint to be put on ourselves for the commongood or for the good of the majority. I request Dr. John to view this in that light. Unfortunately, persons of Dr. John's persuasion, cannot think like that in many matters. The whole question is that we are concerned with communal lands and forest lands. Dr. John asks alienation of communal lands itself is bad under the law; and for one of bad faith, there is the Transfer of Property Act; and where does this consideration for good faith come? May I, in this connection make another comparison? We get news that there is likely to be a big riot. Why should we take action under Section 144, Criminal Procedure Code, and prevent any meetings? Let heads be broken and we can charge the people under Section 302, Indian Penal Code, with murder. Sir, this is not the question. We must certainly do things in time. So, to prevent certain hardships, we must take powers into our hands, and that is the reason for this clause. Even under the strict interpretation of the Transfer of Property Act or the Contract Act, an alienation which has taken place can be set aside for want of consideration or bad faith. But why then should you drive the alienee to take action under the Contract Law if you can prevent it by another law? That is my reason, Sir, for bringing this legislation.

"Some of us, Sir, feel that communal lands are for the good of the community, and the zamindar or anybody in possession of these lands have no right to treat them as his own property and dispose of them, gift them or will them away for any consideration. In the case of forest lands, under the law as it stands at present, it may be that the courts have given the zamindars some powers. But persons of my persuasion think that forest lands ought to be the property of the public and society generally. The well being of a country depends on the proper well being of the forests. You cannot say that we have not informed the public, and the public do not know what are our ideas about forest lands.

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I ask Dr. John, Sir, to peruse the Prakasam Committee Report. The Prakasam Committee Report in 1939 specifically said that all forest lands, whatever their present position may be, shall be treated as belonging to the public. So, Sir, this particular legislation refers primarily to alienations of communal lands and forest lands. We want to prevent alienations of these two lands pending the major zamindari legislation that is coming. Anticipating the zamindari legislation that is coming, as is natural to human instinct, some people, who think that they will be affected by it, are trying to make as much hay when the sun shone. That is what I said when Dr. John asked whom are we protecting, that in some cases we are protecting those persons who want to make money at the expense of his communal lands. Either by abolition of the zamindaris or by the provisions in previous legislations, communal lands belong only to the community and not to any individual. To avoid the difficulty of these lands being alienated, we wanted to take power beforehand and see that such alienations did not take place. That is the reason, that is the argument, and that is my reply to Dr. John's question 'Why do you want to interfere with private property?'. I do not concede that communal lands are under private ownership. That is why I say that these alienations should be prevented by legislation, Sir. I do not want to expatiate further. Dr. John was trying to make out a case that there is a great encroachment upon individual liberty and that life is going to be miserable if individual liberty is to be cut like this. If a certain liberty, in the interests of society, has to be cut, it will be done, and it has to be done. This is my answer to that question, Sir. (Interruption.) My hon. Friend says that I am making a good speech. Then, Sir, he said these are the results of confused minds. If he (Dr. John) is cleared of his confusion, I am glad, Sir.

"Then, Sir, he said this Bill is clumsy and ill-arranged. One instance of the ill-arrangement of the clauses, which Dr. John said, is that clause 5 dealing with powers of First-class Magistrates to impose fines exceeding one thousand rupees ought to come under clause 3 which deals with the offence. With due deference to Dr. John, Sir, I beg to differ here. My recollection in other provisions of law is that substantial portion of the law is given in the earlier sections, and the procedural section is always given in the last. My sense of order is that procedural sections should always be the last and not otherwise. I was a little bit surprised to see that even Mr. Natarajan and Mr. Bhima Rao should have grouse that proper opportunities for discussion had not been given them. I do not want to say more about it. I can only say that in spite of the fact that opportunities were there, as I said earlier, the feeling that communal land and forest land should belong to the society would not be acceptable to many, and such feelings die hard, and they have been carried away to provocation. Mr. Narayanaswami Nayudu spoke of sheep and herd instinct. I am not going to say anything about it except one thing. At least if

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cannot be said hereafter that we are not allowing free expression of opinion on our side of the House. Mr. Narayanaswami Nayudu cannot taunt us like that henceforth.

“ Dr. V. K. John gave us a picture of an alienation by a zamindar where there is hardship. He asked, ‘ if he had converted waste land into arable land under Grow More Food scheme, are you going to penalise him? ’ I say, ‘ yes ’. If it is communal land, certainly he deserves no protection, for the simple reason you cannot take other people’s property and make profit out of it. Dr. John also said, ‘ you have got brute majority and you can do anything ’. Sir, ‘ the tyranny of the majority has become a cheap gibe. ’ Is it the tyranny of the minority that should be the rule? It is always the voice of the majority that rules; it is the brute majority that rules. It is against all common-sense to say that brute majority should not rule. For the charge of the tyranny of the majority I have only to say that the people have faith in us and so have put us in a majority. The charge of steam-roller majority and brute majority is all beside the point. Let us go to the arguments and not cast cheap gibes. It may be said, ‘ your own men have made complaints. ’ There might be complaints. But as pointed out by Mr. Ranga Reddi what is done is for our common good, and for common good we are willing to sacrifice our individual feelings.

“ As I said already, confusion in thinking is not in us, but in those who attribute that to us. I don’t think ignorance of law can be attributed to us. I plead guilty to the charge that I may not know as much law as Dr. John. But I charge him with ignorance of conditions of things outside and of the people. If he had only opportunity to know it he would not have levelled that charge.

“ Mr. Narayanaswami Nayudu was very vehement about steam-roller methods. It is a fact we have to use steam-roller methods. When I have a steam-roller, why not I use it? If I see the road is in a rugged condition why should I not use it to make the level all right? Why should I not use the steam-roller to make the road good so that your car may go smooth over it?

“ Another thing that was said was, ‘ what is the difference between the Ordinance and this Bill? ’ I said in my opening remarks why this Bill had to be brought to-day. Dr. Lakshmanaswami Mudaliyar asked me, ‘ when you have provision for giving retrospective effect, where is the hurry to proceed with this Bill? ’ I admit those provisions are there. But if the Bill is not passed to-day it has to wait for some time. But in the interregnum between the lapse of the Ordinance and the passing of this Bill a number of bad transactions might take place, as the number of bad transactions that took place within a few days before the publication of the Zamindari Bill. If that is allowed to take place, it will be the duty of the Government or the people concerned, thereafter to file suits to set aside those alienations. We cannot imagine

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what people will do. For the ingenuity of man to circumvent a rule is beyond all comprehension; and so we feel it is better to prevent it.

“ May I inform Dr. Lakshmanaswami Mudaliyar that this Bill is only a temporary measure, which will die automatically with the passing of the Zamindari Bill, which, we hope, will be passed very soon. And so there is no danger or hardship by passing it to-day.

“ On the question of wording of the clauses, Dr. V. K. John said about the grammar and about the significance of the date of the 27th June 1947. Sir, we are only reproducing the wording of the Ordinance, and all actions taken on that should be followed up in the same way and that is why it has been written like that, and there is no mistake in that. Mr. K. Natarajan said that he knew of two instances of alienations. I know, of not two, but two hundred improper alienations where tank-beds which ought to have been repaired, have been alienated and people purchasing the same thinking that this is the opportunity, and some passing it on to binamidars! They may be hard cases in all general legislation, but to minimise the cases of hardship as far as possible, there is the proviso in section 4. (Dr. V. K. John : That shows bad law.) Hard cases can't make bad law. Dr. Lakshmanaswami Mudaliyar asked whether we have considered any amendments to clause 4. I may say all the amendments to clause 4, except sub-clause (5), were amendments brought by Government themselves. After the select committee met we have considered the matter, we have taken the advice of law officers, and provisos one to four were moved by Government themselves; and besides these, there were amendments moved by other members in the Lower House. Amendment to sub-clause 5 was actively considered and expert opinion was taken on it and then Government have accepted it. So that all this has been done to minimise the hardship as much as possible so that it may not be said that it was out of brute majority or steam-roller majority or anything of the kind that we wanted to do this.

“ I am very sorry that Dr. Lakshmanaswami Mudaliyar has misunderstood the absence of the Revenue Minister here. He said that for ordinary courtesy he should have been here to answer things. Certainly I agree he has been in charge of the matter and he would be able to understand things, and more about criticism. But it is not for want of courtesy that he is absent. For certain necessity, which he could not avoid, he has to be absent from the city, and so I had to take charge and do the business as best as I could. So I have to say this ‘ want of courtesy ’ is an unfair charge, as he has to be away from the city for reasons beyond his control.

“ I do not want to speak at length about clause 6. Dr. Lakshmanaswami Mudaliyar is under a misapprehension about it. That clause wants to put a check on improper transactions. Government know the implications of the Act. Government know when sanction to prosecute should be accorded and when not. And so they have empowered the district magistrate to do this. If we

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allow private parties to file criminal prosecutions, it has to be done under section 476 of the Criminal Procedure Code. First of all, a petition to secure sanction has to be filed. And after sanction is accorded, the party may not immediately launch the prosecution but use it to blackmail others. So to prevent that Government have taken this step.

“ The last point made much of by Dr. John was about the omnibus clause 9. I am very sorry that such a person should have said that in no legislation in a civilised country is there that saving power. I can understand his contention if Government had come forward with a single-clause Bill saying that Government hereby take all power to do anything to prevent improper alienation of communal lands, etc. This clause is to be used to remove any difficulty that may arise in giving effect to the provisions of this Bill. Dr. John, being a lawyer himself, must know the various difficulties that arise in the actual working of any enactment. It is only in such cases this power is to be used. It is not an imaginary power to do anything that you want to do under the moon that is conferred by this clause. Therefore it is not proper to confuse issues by saying that this is an outrageous power that any civilised Government can wield. I do not wish to say anything more. There is no necessity for any alarming interpretation on a very innocent clause. I request the House to pass the Bill.”

The motion that the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Bill, 1947 (L.A. Bill No. 26 of 1947) as passed by the Legislative Assembly be taken into consideration at once was put and carried. 3-45 p.m.

Clauses 2, 3, 4, 5, 6, 7, 8, 9, 1 and the Preamble were put and carried.

THE HON. SRI K. MADHAVA MENON :—“ I move, Sir—
‘ that the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Bill, 1947 (L.A. Bill No. 26 of 1947) as passed by the Legislative Assembly be passed into law.’ ”

The motion was put and carried and the Bill was passed into law.

IV.—GOVERNMENT MOTION *RE* ELECTION OF ONE MEMBER TO THE
STANDING ADVISORY BOARD FOR TECHNICAL EDUCATION.

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—
“ Sir, I move—

‘ that this Council do proceed on a date to be fixed by the Hon. the President to elect one member of this Council to be a member of the Standing Advisory Board for Technical Education, constituted in G.O. No. 1829, Education, dated the 19th August 1947.’

“ I am sure, Sir, that hon. Members of this House would like to know the constitution of the Board as well as the objects for

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which it is constituted. The functions of the Board will be to advise the Government on all matters of technical and technological education of all types including university standard, diploma standard, and artisan standard, on a properly co-ordinated basis to meet the requirements and developments of this Province and India as a whole and to examine the technical and technological education of this Province in all its aspects and make recommendations with a view to re-organise it on a basis that will make it more useful, efficient and up to date.

“ The constitution of the Board will be as follows :—

Chairman :

Minister for Education.

Members :

Hon. Minister for Public Works.

Director of Public Instruction.

Chief Engineer, General, Buildings and Defence.

Chief Engineer, Electricity.

Chief Engineer, Highways.

Chief Engineer, Irrigation.

Principal, College of Engineering, Guindy.

Principal, Arthur Hope College of Technology, Coimbatore.

Principal, Engineering College, Vizagapatam (Cocanada).

Director or Joint Director of Industries.

One Technical representative of the Institution of Engineers (India), South India Centre, Madras.

Three representatives of the Universities (one from each of the Madras, Andhra and Annamalai Universities).

One technical nominee of the Institute of Science, Bangalore.

Three members of the Madras Legislature—two from the Legislative Assembly and one from the Legislative Council.

Chief Engineers, Madras and Southern Mahratta and South Indian Railways.

Six members to be nominated by Government to represent various industries and the public.

The Principal of the Engineering College, Guindy, will be the Secretary to the Board.

“ The object of the Board is to go into the matter of technical education as well as to find the manpower that will be necessary for the development of the country in its various spheres. The Government appointed an Expert Committee of high grade engineers in connexion with the organization of the two Engineering Colleges of Coimbatore and Cocanada. That Expert Committee had recommended that a Board for technical education like the one formed now will be in the interests of the administration of technical education in this Province and in accordance with that recommendation this Board has been constituted.”

* SRI R. SURYANARAYANA RAO :—“ Have we the privilege of expressing our views on the necessity or otherwise for the constitution of the Board, Sir, or have we no voice in the matter? ”

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MR. PRESIDENT :—" The hon. Member can say what he wants to say."

SRI R. SURYANARAYANA RAO :—" First of all it would have greatly helped the hon. Members of this House if the Hon. Minister for Education had furnished us with a copy of the G.O. which he read. Then we would have formulated our views"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—" May I submit, Sir, that the matter has been exhaustively published in the Press? "

SRI R. SURYANARAYANA RAO :—" Press is not the means, Sir, which the Government always seek to convey their decisions."

MR. PRESIDENT :—" Was not the Government Order published in the Gazette? "

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—" I believe it has been, Sir, as all Government Orders are."

SRI R. SURYANARAYANA RAO :—" No, Sir. It was not published in the Gazette. I look into the Gazette carefully. The Government would have enabled us, if while giving notice of this motion they had also given us a copy of the Government Order, to express some of our views. The Hon. Minister has only given us an idea of the object of Government in constituting the Board."

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—" I do not think the Government Order will contain much more, Sir. I have read the Government Order—the whole of the relevant portion of the Government Order."

MR. PRESIDENT :—" Can you let the hon. Member have a copy of the Government Order? "

SRI R. SURYANARAYANA RAO :—" That would enable us, Sir, at the time of the election to send a suitable person to sit on the Board."

MR. PRESIDENT :—" The Hon. Minister can send some copies to the Members."

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR :—" If the Hon. President thinks it necessary it will certainly be circulated to the hon. Members of the House, Sir."

The motion was put and carried.

MR. PRESIDENT :—" With reference to the motion of the Hon. Minister for Education just now carried, I have to announce to the House that I shall publish the date for nomination and also the date of election later on. The House now stands adjourned *sine die*."

V.—PAPER LAID ON THE TABLE OF THE HOUSE.

The Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Bill, 1947 (L.A. Bill No. 26 of 1947) passed by the Assembly and received therefrom in the Council.

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APPENDIX I.

[Vide answer to starred question No. 88 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on the 21st October 1947, page 490 supra.]

Statement showing allotments of coal made to the different classes of industries.

Classes of industries.										Number of wagons fixed per month.	
Municipalities and water works (MWW)	..	..	..	..	..	..	..	..	..	38	
District Boards and Public Works Department (PWD including MIS)	..	..	..	..	..	..	..	..	..	8	
Engineering Concerns (ENG)	..	..	..	..	..	..	..	..	..	17	
Glass Works (GLS)	..	..	..	..	..	..	..	..	..	10	
Chemical Industries (CHM)	..	..	..	..	..	..	..	..	..	14	
Distilleries	..	..	..	..	..	..	..	..	..	13	
Rerolling Mills (RRL)	..	..	..	..	..	..	..	..	..	4	
Potteries (POT)	..	..	..	..	..	..	..	..	..	17	
Enamel Works (EMN)	..	..	..	..	..	..	..	..	..	5	
Leather Works (LTH)	..	..	..	..	..	..	..	..	..	2	
Oil Mills (OLE)	..	..	..	..	..	..	..	..	..	52	
Lime Stone Works (L. MS)	..	..	..	..	..	..	..	..	..	4	
Soap Works (SOP)	..	..	..	..	..	..	..	..	..	5	
Provincial Depot Holders for domestic consumptions and small-scale industries (ZMS)	..	..	..	..	..	..	..	..	..	55	
Dairies (DAR)	..	..	..	..	..	..	..	..	..	1	
Jails (JAL)	..	..	..	..	..	..	..	..	..	1	
Steam Ferries (SS)	..	..	..	..	..	..	..	..	..	1	
Rubber Works (RUB)	..	..	..	..	..	..	..	..	..	1	
Food Products Dehydration and Flour Mills (FOD)	..	..	..	..	..	..	..	..	..	21	
Education (EDU)	..	..	..	..	..	..	..	..	..	1	
Total										270	

APPENDIX II.

[Vide answer to starred question No. 88 asked by Sri R. Suryanarayana Rao at the meeting of the Legislative Council held on the 21st October 1947, page 491 supra.]

Statement showing distribution of the allotment of cement.

Period.	Large scale industries.		Provincial Services.		Central Public Works Department.		Essential services.		A.R.P. requirements.		Indian States.		Public requirements.		Total.	
	T.	O.	T.	C.	T.	O.	T.	O.	T.	O.	T.	O.	T.	C.	T.	O.
November 1944/																
March 1945	8,012	13	9,521	17	551	3	7,682	2	29	3	4,830	0	23,860	14	54,517	12
April 1945/																
March 1946	26,926	8	31,299	11	2,085	19	26,186	15	..	..	44,558	15	88,317	14	219,375	2
April 1946/																
March 1947	45,838	10	54,569	7	2,557	1	30,740	8	..	..	35,248	5	142,157	14	311,111	5
April 1947.	3,895	0	10,000	15	..	..	2,909	18	..	..	219	0	10,588	17	27,613	10
May 1947.	2,315	10	3,483	0	24	0	3,677	12	..	..	1,040	0	10,075	0	20,615	2

NOTE.—The total figures for 1947-48 cannot be made available at present for the following reasons:—

For each month, on the basis of the anticipated production of each factory for that month allotments for the different Regional Honorary Cement Advisers are decided by the Hon. Cement Adviser to the Government of India, New Delhi, and communicated to the respective Regional Cement Advisers towards the end of the each month. These allotments are distributed during the following month among the several demands by the Regional Hon. Cement Adviser.

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APPENDIX III.

[Vide answer to starred question No. 101 asked by Abdul Latif Farookhi Sahib Bahadur at the meeting of the Legislative Council held on the 21st October 1947, page 498 supra.]

The following statement furnishes information regarding the number of people jailed for Prohibition offences during the period from 1st October 1946 to 31st July 1947 and the number of ryots and agricultural labourers among them :—

Name of the district.	Number of people jailed.	Number of ryots and agricultural labourers.	Percentage.
1 Anantapur	465	230	50
2 Cuddapah	904	300	33
3 Chittoor	1,034	366	35
4 Bellary	403	195	48
5 Kurnool	1,013	993	98
6 Salem	2,300	1,353	59
7 North Arcot	2,370	1,138	48
8 Coimbatore	725	175	24
Total	9,214	4,750	52

2. No information is available regarding the avocations of the persons other than ryots and agricultural labourers who had been jailed for Prohibition offences.

APPENDIX IV.

[Vide answer to starred question No. 104 asked by Sri P. Virabhadraswami at the meeting of the Legislative Council held on the 21st October 1947, page 503 supra.]

STATEMENT A.

I.—List of existing sugar factories in this Province.

Serial number and name of the factory.	Location.	Daily cane-crushing capacity in tons.	Expansion in capacity permitted in tons.
(1)	(2)	(3)	(4)
1 The Vizagapatam Sugars and Refinery, Limited.	Thummapala, Vizagapatam district.	125	..
2 Etikoppakka Sugar Factory, the Agricultural and Industrial Co-operative Society.	Etikoppakka, Vizagapatam district.	65	* ..
3 The Sri Rama Sugar Mills ..	Bobbili, Vizagapatam district.	150	300
4 The Sri Rama Sugar Mills Branch.	Seethanagarm, Vizagapatam district.	300	..
5 The Deccan Sugar and Abkari Company.	Samalkot, East Godavari district.	250	..
6 The Vuyyur Agricultural and Industrial Credit Society, Limited.	Vuyyur, Kistna district.	1,000	..

* In the case of the Etikoppakka factory, instead of the existing 65 tons capacity, a new plant of 600 tons capacity has been permitted to be installed.

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Serial number and name of the factory.	Location.	Daily cane-crushing capacity in tons.	Expansion in capacity permitted in tons.
(1)	(2)	(3)	(4)
7 Sri Ramakrishna Sugar Mills.	Kirlampudi, East Godavari district.	100	400
8 The East India Distilleries and Sugar Factories, Limited.	Nellikuppam, South Arcot district.	1,200	..
9 The India Sugar and Refineries, Limited.	Hospet, Bellary district.	600	..
10 Coimbatore Co-operative Sugar Manufacturing Society, Limited.	Podanur, Coimbatore district.	50	..
11 The Sri Murugappa Sugar Company.	Mailpatti, North Arcot district.	50	..
12 The South India Sugar Company, Limited.	Pugalur, Trichinopoly district.	150	600
13 AL. V.R. Sugar Mills and Distillery.	Tachanallur, Tinnevely district.	16	..
14 T. AR. M. Lakshmi Sugar Mills.	Alwartirunagari, Tinnevely district.	6	..
Total ..		4,062	1,300

II.—List of new sugar factories already permitted.

Name of the company or person.	Location.	Cane-crushing capacity per day.
(1)	(2)	(3)
1 Sir T. S. Venkataraman (The Panchanadham Sugars, Limited).	In or near or between Tanjore and Trivadi.	650 tons.
2 Sri S. B. P. Pattabhi Rama Rao, Kumara Zamindar of Kapileswarapuram, Godavari district.	Samachandrapuram, East Godavari district.	600 "
3 The Rayalaseema Sugars, Limited, Hindupur, Anantapur district.	Hindupur, Anantapur district.	To crush initially 450 tons of sugarcane with a reserve capacity for 200 tons more.
4 West Coast Sugars and Allied Products, Limited, Mangalore.	Mangalore, South Kanara district.	Do.
5 Sri W. P. A. Soundara Pandiyan, Madura.	Kodaikanal Road, Madura district.	Do.
6 A Co-operative Society ..	Chittoor district ..	450 tons.
7 Sri R. V. Guruswami Nayudu, Udamalpet.	Udamalpet, Coimbatore district.	450 "
8 Etikoppaka Co-operative Agricultural and Industrial Society.	Round about Anakapalle, South Vizagapatnam district.	600 "
9 The Cauvery Sugars and Chemicals, Limited, Namakkal.	Any place between Musiri and Namakkal in Trichinopoly or Salem district.	600 "

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STATEMENT B.

List of applicants for starting of more new factories pending with Government and their addresses.

Serial number and name of the applicant.	Address.
1 Sri R. Devaraja Reddi	Pallalakuppam, Mailpatti P.O., North Arcot district.
2 Sri K. Sundara Rajan, B.Sc. (Agri.).	Marudur, Kulittalai taluk, Trichinopoly district.
3 Messrs. Renu Industries (Madras), Limited.	No. 17-C, Broadway, G.T., Madras.
4 Zamindar of Challapalli	Challapalli, Kistna district.
5 Sri R. Tangirala, B.A., B.L. ..	Brodiepet, Guntur.
6 Messrs. Balantram Industries, Limited.	No. 19-A, West Cooum Road, Madras-2.
7 Sri Mullapudi Harichandra Prasad.	Landholder, Tanuku, West Godavari district.
8 Sri S. Soundappan, B.A.	Anbika Talkies, Gugai, Salem.
9 Sri S. R.M. CT. A. Annamalai Chettiyar.	Proprietor, Trojan & Co., No. 13/14, Second Line Beach, G.T., Madras.
10 Mr. M. Ameen Khaleeli	No. 19, Woods Road, Mount Road P.O., Madras.
11 Sri R. Venkatasubba Reddi ..	Sulankurichi P.O., Kallakurichi taluk, South Arcot district.
12 Gurumurthy & Co.	No. 5, Double Mall Street, Trichinopoly.
13 Sri V. Nadimuthu Pillai	"Neela Vilas," George Jubilee Town, Tanjore.
14 Sri M. B. Rangaswami Reddiyar.	Director, the Vijayalakshmi Trading Corporation, Limited, Tiruvannamalai, North Arcot district.

APPENDIX V.

[Vide answer to starred question No. 105 asked by Sri B. Bhima Rao at the meeting of the Legislative Council held on the 21st October 1947, page 504 supra.]

Statement showing the number of handlooms in each centre in the Bellary district other than those in the Co-operative Societies.

Name of the centre.	Number of looms.	Name of the centre.	Number of looms.
Bellary	952	Adoni	4,863
Thekkalakota	475	Alur	319
Kurugodu	746	Yemmiganur	4,172
Hirehal	568	Kosigi	2,285
Hospet	232	Nagaladinne	819
Kottur	611		
Ujjini	284	Total	19,496
Thambrahalli	630		
Rayadrug	2,540		

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*Statement showing the quota of yarn supplied to each centre
from January to June 1947.*

Name of centre.	Number of bales supplied in each month to each.					
	January.	February.	March.	April.	May.	June.
Bellary	37	45½	..	42	34	22½
Thekkalakota	15	15	..	7	18	10
Kurugodu	27½	33	..	27	21	18½
Hirehal	22	26	..	24	18	13
Hospet	9½	11	..	9	8	6
Kottur	18	22½	..	20	18½	17
Ujjini	10	16	..	14	10½	8½
Thambrahalli	15	16	..	19	17½	12
Rayadrug	60	84	..	79	84	55
Adoni	255	269	..	229	227	162
Alur	13½	16½	..	12	12½	10
Yemmiganur	143	196½	..	154	139	114
Kosigi	75½	100	..	88	70	57½
Nagaladinne	24	32	..	31	20	29
Total ..	725	883	..	755	698	535

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

[Vide answer to un starred question No. 8 asked by Sri B. Narayanaswami Nayudu at the meeting of the Legislative Council held on 21st October 1947 page 509 supra.]

STATEMENT No. I.—Statement showing details of rice imported into the Province during 1945-46 and 1946-47.

Kharif year 1945-46 (from 1st November to
31st October 1946).

Kharif year 1946-47 (from 1st November 1946 up to
21st August 1947).

Name of food grain.	Name of source from which the grain is imported.	Total quantity imported in tons.	Price paid per bag of 246 lb.		Cost of transportation per bag of 246 lb.	Total quantity imported in tons.	Price paid per bag of 246 lb.		Cost of transportation per bag of 246 lb.
			RS. A. P.		RS. A. P.		RS. A. P.		RS. A. P.
Rice	(a) Sources within India—								
	(i) Orissa	46,193	Fine	30 12 0	1 13 3	47,147	Non-Koraput rice—		
			Common	27 1 6			Common	22 15 6	1 13 3
							Fine	28 3 6	
							Superfine	34 3 6	
							Koraput rice—		
							Ex-Jeypore—		
							Common	19 3 6	
							Fine	20 11 6	
							Ex-Gunupur—		
							Common	22 9 6	
							Fine	23 14 6	
	(ii) Eastern States ..	29,090	Hand pounded	27 12 0	2 1 6	18,793	Hand pounded	27 12 0	2 1 6
			Milled	30 0 0			Milled (coarse)	30 0 0	
			Paddy	15 12 0			Milled (fine)	45 0 0	
	(iii) Sind	18,467	Kangni	32 13 0	2 8 3	10,201	Kangni	33 9 0	2 8 3
			Joshi	30 15 0			Joshi	30 15 0	
			Sugdasi	43 11 0			Sugdasi	43 14 0	
			Paddy	21 0 0	2 8 3				
	(iv) Baluchistan	9,248		31 8 0	4 13 9	15,949		31 8 0	4 13 9
	(v) Central Provinces ..	9,051	Basmati	61 11 0	2 8 3	10,882	Basmati	61 11 0	2 8 3
	(vi) Punjab	28,756	Sela Basmati	63 3 0			Sela Basmati	63 3 0	
			Begmi	40 14 0			Begmi	40 14 0	
	(vii) Assam	23,134	Aruva	37 14 0	8 1 6	5,807	Aruva	37 14 0	8 1 6
			Ans	31 14 0			Ans	31 14 0	
			Paddy	19 14 0	0 14 0		Paddy	19 14 0	
	(viii) Travancore	8,990		40 8 0					
	(ix) Coorg					5,026	Rice	28 4 3	7 0 6
							Paddy	18 13 6	
	(x) United Provinces ..					1,000	Cost not paid by Madras Government as the rice was supplied as replacement quota.		
	Total	172,929				114,805			
	(b) Overseas—								
	(i) Burma	75,839							
	(ii) Saigon	4,000							
	(iii) Siam	9,000							
	(iv) Brazil	29,281							
	(v) Java	14,158							
	Total	132,278				51,055			
	Grand total	305,207				165,860			

* The Government of India import Overseas rice on their account and supply it to this Government at a concessional rate of Rs. 8-5-0 per Imperial maund ex-Port. This Government incur only 1 anna per bag of 246 lb. towards direct delivery charges and wagon loading charges.

STATEMENT No. II.—Statement showing details of wheat and wheat products imported into the Province during 1945-46 and 1946-47.

Name of foodgrain.		Name of source from which the grain is imported.		Rabi year 1945-46 (from 1st May 1945 to 31st April 1946).			Rabi year 1946-47 (from 1st May 1946 to 31st April 1947).		
				Total quantity imported in tons.	Price paid per bag of 246 lb.	Cost of transportation per bag of 246 lb.	Total quantity imported in tons.	Price paid per bag of 246 lb.	Cost of transportation per bag of 246 lb.
					RS. A. P.	RS. A. P.		RS. A. P.	RS. A. P.
Wheat	(a) Sources within India—	(i) Hyderabad	96.2	48 0 0	2 11 6	74.3	48 0 0	2 11 6	
			94.0	65 0 0	..	27.8	65 0 0	..	
			..	..	..	15,690.2	31 11 0	..	
			Total ..	190.2	..	..	15,792.3	..	..
			(b) Overseas—	Australia and America	31,000.4	25 2 0	0 0 9	56,316.5	28 8 0
	1,280.3	27 9 0			0 0 9	16,198.1	28 6 2	0 0 9	
	4,830.2	28 8 0			0 0 9	..	..	..	
	3,982.2	28 6 2			0 0 9	..	..	..	
	Total ..	41,093.1			..	..	72,514.6	..	..
	Wheat flour	Overseas	..	..	..	48,554.6	40 2 0	0 0 9	
Total ..			..	..	..	48,554.6	..	..	
Maida	Punjab	5,442.5	39 0 3	..	..	..	..		
		1,229.4	44 6 8	5 0 2	..	..	..		
		1,695.8	43 2 0	1 2 0	..	..	..		
		Total ..	8,367.7	..	..	..	..	..	
Sooji	Punjab	2,003.5	39 5 0	..	..	..	..		
		136.2	45 12 10	5 0 2	..	..	..		
		Total ..	2,139.7	..	..	..	..	..	
		Overseas wheat milled into wheat products at Karachi—	Maida	5,875.8	41 15 5	5 0 2	..	..	..
	1,888.5			44 12 6	5 0 2	..	..	..	
	736.6			13 3 2	0 15 5	..	..	..	
	Total ..			8,527.9	..	..	..	..	..
	Biscuits	Overseas	..	..	..	149.5	215 4 0	..	
			(cost of 246 lb. including transport charges).						
Grand total ..		60,318.6	..	..	137,011.0	..	..		

* Paid direct by merchants.

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APPENDIX VII.

[Vide answer to unstarred question No. 11 asked by Sri B. Bhima Rao, at the meeting of the Legislative Council held on 21st October 1947 on page 511 supra.]

List of candidates of the Emergency Commission of the I.M.S. employed as Civil Assistant Surgeons in the Madras Medical Service.

- 1 Capt. C. Bhadriah, M.B.B.S.
- 2 Capt. R. Narayanan, M.B.B.S.
- 3 S. Z. Ahmed, M.B.B.S.
- 4 Capt. D. A. Rossel, M.B.B.S.
- 5 Capt. N. Krishnaswamy, M.B.B.S.
- 6 Capt. G. H. Durai Raj, M.B.B.S.
- 7 Capt. M. Mohd. Khan, M.B.B.S.
- 8 Major P. S. Dorai Raja, M.B.B.S.
- 9 Capt. K. S. Ganesan, L.M.S.
- 10 Capt. K. Dattatroyalu, M.B.B.S.
- 11 Capt. A. Jabbar, L.M.P.
- 12 Capt. T. Atchutha Rao, L.M.P.
- 13 Capt. K. P. Chidambaran, M.B.B.S.
- 14 Capt. N. S. Reddy, B.A., L.M.S.
- 15 Capt. N. D. Nambiar, L.M.S.
- 16 Capt. K. M. Meeran Rowther, M.B.B.S.
- 17 Lieut. R. Kodanda Ram, M.B.B.S.
- 18 Capt. K. G. Menon, M.B.B.S.
- 19 Lieut.-Col. M. K. Krishnan Menon, B.A., M.B.B.S.
- 20 Capt. C. Ramachandra Iyengar, M.B.B.S.
- 21 Capt. P. O. Oommen, M.B.B.S.
- 22 Capt. F. W. Perreira, M.B.B.S.
- 23 Capt. R. R. R. Menon, M.B.B.S.
- 24 Capt. K. Srinivasa Rao, L.M.P.
- 25 Major H. Chatterjee, L.M. & S.
- 26 Capt. S. Vaidyanathan, L.M.P.
- 27 Capt. M. Imamuddin, M.B.B.S.
- 28 Capt. J. Pakkiam, L.M. & S.
- 29 Capt. A. J. Ralston, M.B.B.S.
- 30 Capt. A. Babu Rao, M.B.B.S.
- 31 Capt. T. N. Doraiswami, M.B.B.S.
- 32 Major J. Suryaprakasa Rao, M.B.B.S.
- 33 Major T. Joga Rao, L.M.P.
- 34 Capt. S. Narasimham, L.M.P.

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- 35 Major V. K. Rao, L.M.P.
- 36 Capt. T. M. B. Nedungadi, M.B.B.S.
- 37 Capt. A. Ambalayanam, L.M.P.
- 38 Capt. P. K. Kumaran, L.M.P.
- 39 Capt. K. Appu Kurup, L.M.P.
- 40 Capt. N. P. R. Acharyulu, L.M.P.
- 41 Major R. M. Nair, M.B.B.S.
- 42 Capt. A. Janakamohan Rao, M.B.B.S.
- 43 Capt. N. P. Deva Das, M.B.B.S.
- 44 Capt. C. A. Rajamani, B.A., M.B.B.S.
- 45 Capt. P. Balakrishna Menon, L.R.C.P. & S. (Edin.).
- 46 Capt. B. Joga Rao, M.B.B.S.
- 47 Major E. G. Sastry, M.B.B.S.
- 48 Capt. P. N. R. Setty, M.B.B.S.
- 49 Capt. A. R. Thampi, M.B.B.S.
- 50 Capt. P. O. Kuriappan, M.B.B.S.
- 51 Capt. S. V. Joseph, M.B.B.S.
- 52 Major R. R. Reddy, M.B.B.S.
- 53 Capt. V. Parthasarathy, M.B.B.S.
- 54 Capt. A. N. Ramanathan, B.A., M.B.B.S., D.C.L.S. (Mad.).
- 55 Capt. P. C. Nedungadi, M.B.B.S.
- 56 Capt. G. Sreeramulu, M.B.B.S.
- 57 Capt. K. John, M.B.B.S.
- 58 Capt. L. T. Ramalingam, M.B.B.S.
- 59 Capt. A. Asirvatham, B.A., M.B.B.S.
- 60 Capt. V. Balakrishnan, M.B.B.S.
- 61 Capt. J. J. Dharmaraj, M.B.B.S.
- 62 Lieut.-Col. J. Eapen, M.B.B.S.
- 63 Capt. K. Subramaniam, M.B.B.S.
- 64 Capt. K. Umapathy, M.B.B.S.
- 65 Capt. U. Senkaran, M.B.B.S.
- 66 Capt. G. A. S. Sundaram, B.A., M.B.B.S.
- 67 Capt. N. Sridhara Rao, M.B.B.S.
- 68 Capt. A. Ananthanarayanan, B.A., M.B.B.S.
- 69 Capt. R. Venkatachalapathy, M.B.B.S.
- 70 Capt. A. P. Babu, M.B.B.S.
- 71 Capt. C. C. Menon, M.B.B.S.
- 72 Capt. S. Sivarajan, M.B.B.S.
- 73 Capt. N. Morry, M.B.B.S.
- 74 Capt. T. R. Krishnamurthy, M.B.B.S.
- 75 Capt. S. N. Ganapathy, M.B.B.S.
- 76 Capt. A. R. Natarajan, M.B.B.S.

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- 77 Capt. A. P. Devadoss, M.B.B.S.
- 78 Capt. C. S. Balasubramanian, M.B.B.S.
- 79 Capt. M. Munuswamy, B.A., M.B.B.S.
- 80 Capt. P. Balasundaram, M.B.B.S.
- 81 Capt. M. Kunhi Krishnan Nair.
- 82 Capt. P. Kunhambu.
- 83 Capt. K. P. Parthasarathy.
- 84 Capt. K. Achutha Nair.
- 85 Capt. A. Narasimham, M.B.B.S. (Andhra).
- 86 Capt. M. M. A. Jabbar, M.B.B.S. (Andhra).
- 87 Capt. C. K. Ramachander, M.B.B.S. (Mad.).
- 88 Capt. R. Narasimham, M.B.B.S. (Mad.).
- 89 Capt. T. Jagam Mohan Rao, M.B.B.S. (Andhra).
- 90 Major A. E. Sundaresan, M.B.B.S. (Mad.), PH.D., M.R.C.P.
- 91 Capt. K. P. Nayagam, L.M.P.
- 92 Capt. E. Balakrishnan Nair, L.M.P.
- 93 Capt. M. Venkatachar, L.M.P.
- 94 Capt. M. Natarajan, M.B.B.S.
- 95 Serg. Lt. A. V. Madanagopal, M.B.B.S.
- 96 Capt. S. Narayanan, M.B.B.S., B.Sc.
- 97 Capt. K. Suryanarayana, M.B.B.S. (Andhra).
- 98 Capt. A. Satyagnana Rao, M.B.B.S. (Andhra).
- 99 Capt. P. Ramachandra Rao, M.B.B.S. (Andhra).
- 100 Capt. P. Ragunatha Raju, M.B.B.S. (Andhra).
- 101 Major M. W. Williams, M.B.B.S. (Andhra).
- 102 Lieut.-Col. M. E. Menon, M.B.B.S. (Mad.), D.G.O.
- 103 Capt. R. Ramachandran, M.B.B.S. (Mad.).
- 104 Capt. R. Ramachandran, L.M.P.
- 105 Major N. Gengadharan, L.M. & S. (Mad.).
- 106 Major N. Chandra Sekar, M.B.B.S. (Mad.).
- 107 Major P. Achutha Menon, L.M. & S. (Mad.).
- 108 Capt. A. R. Subramaniam, M.B.B.S. (Andhra).
- 109 Capt. A. Ramachandra Acharya, M.B.B.S. (Mad.), B.Sc.
- 110 Capt. M. R. Subba Rao, M.B.B.S. (Andhra).
- 111 Capt. P. Sundara Siva Rao, M.B.B.S. (Andhra).
- 112 Capt. P. Sankara Menon, M.B.B.S. (Mad.).
- 113 Major K. Mahadevan Pillai, B.A., M.B.B.S. (Andhra).
- 114 Capt. M. K. Thyagarajan, M.B.B.S. (Mad.).
- 115 Major B. Sundara Ramamurthy, M.B.B.S. (Andhra).
- 116 Capt. K. Chandara Rao, M.B.B.S. (Mad.).
- 117 Major P. S. Kumaravelu, M.B.B.S. (Mad.).
- 118 Capt. A. J. John, M.B.B.S., B.Sc. (Chemistry).

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- 119 Capt. M. A. Razak, M.B.B.S. (Mad.).
- 120 Lieut.-Col. T. Titus, I.N.A., M.B.B.S. (Mad.).
- 121 Major M. A. Nambiar, I.N.A., M.B.B.S. (Mad.).
- 122 Capt. T. A. Anantha Krishnan, M.B.B.S. (Mad.).
- 123 Capt. A. M. Seshan, M.B.B.S. (Mad.).
- 124 Major M. Gopala Krishna Prabhu, M.B.B.S. (Mad.).
- 125 Capt. K. P. Veeraraghavan, M.B.B.S. (Mad.).
- 126 Capt. P. Damodaram, M.B.B.S. (Mad.).
- 127 Capt. A. Sitarama Murthy, M.B.B.S. (Andhra).
- 128 Capt. K. P. Anantham, M.B.B.S. (Andhra).
- 129 Capt. C. Krishnaswamy, M.B.B.S. (Andhra).
- 130 Capt. M. A. Amid, M.B.B.S. (Andhra).
- 131 Capt. J. I. Rebello, B.A.
- 132 Capt. N. Sundararajan, M.B.B.S. (Mad.).
- 133 Capt. T. K. Lucas, B.A., M.B.B.S. (Mad.).
- 134 Capt. K. N. K. Menon, M.B.B.S. (Andhra).
- 135 Major K. S. B. Menon, L.M. & S. (Mad.).
- 136 Lieut.-Col. P. Narayana Rao, M.B.B.S. (Andhra).
- 137 Lieut.-Col. U. Raghavachari, M.B.B.S. (Mad.).
- 138 Dr. T. E. Unni, M.B.B.S. (Mad.).
- 139 Dr. R. V. Ramana Rao, M.B.B.S. (Andhra).
- 140 Lieut. D. J. Moursund, M.B.B.S. (Mad.), B.Sc., L.M.P.

APPENDIX VIII

[Vide answer to unstarred question No. 11 asked by Sri B. Bhima Rao, at the meeting of the Legislative Council held on 21st October 1947 on page 511 supra.]

List of I.N.A. Personnel.

- 1 Dr. M. Nagaratnam.
- 2 Dr. S. M. V. Krishnan.
- 3 Dr. S. Krishnamurthi.
- 4 Dr. T. Titus.
- 5 Dr. R. V. Ramana Rao.
- 6 Dr. M. A. Nambiar.
- 7 Dr. S. Pichumani.
- 8 Dr. T. E. Unny.
- 9 Dr. T. A. Naidu.
- 10 Dr. V. S. Ramaswamy.
- 11 Dr. T. P. Sundaram.
- 12 Dr. T. V. Ranganathan.
- 13 Dr. K. Sundaram.

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APPENDIX IX.

[Vide answer to unstarred question No. 13 asked by Sri B. Narayanaswami Nayudu at the meeting of the Legislative Council held on 21st October 1947 on page 513 supra.]

Amendments to be moved by the Hon. Sri B. Gopala Reddi, Minister for Finance, Madras.

1. Paragraph 6 of the Report.

“ 6. We recommend to the Assembly the proposals contained in paragraph 2-D of our previous report on the subject of federal taxation. It is quite clear, however, that the retention by the Federation of the proceeds of all the taxes specified by us would disturb, in some cases violently, the financial stability of the Units and we recommend therefore that provision should be made for an assignment, or a sharing, of the proceeds of some of these taxes on a basis to be determined by the Federation from time to time.”

Amendment.—That in paragraph 6 for the words “ by the Federation from time to time ” the following be substituted :—

“ at intervals of five years by a Commission to be established by an Act of the Federal Legislature containing a fixed number of members appointed by the Federal Government, an equal number of members appointed by the Governments of the Units under a suitable procedure, and a Chairman who has held high judicial office elected by the members representing the Federal Government and the Units.”

2. Item 72—List I—Federal Legislative List.

“ 72. Duties of excise on tobacco and other goods manufactured or produced in India except—

- (a) alcoholic liquors for human consumption;
- (b) opium, Indian hemp and other narcotic drugs and narcotics; non-narcotic drugs;
- (c) medicinal and toilet preparations containing alcohol, or any substance included in sub-paragraph (b) of this entry ”

Amendment.—That item 72 be deleted.

3. Item 73—List I—Federal Legislative List.

“ 73. Corporation Tax.”

Amendment.—That at the end of item 73 the following proviso be added :—

“ Provided that at least fifty per cent of the net proceeds shall be distributed among the Provinces and the Federated States in which the tax is levied, and that the distribution shall be made according to principles formulated by Act of the Federal Legislature.”

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4. *Item 77—List I—Federal Legislative List.*

“ 77. Taxes on income other than agricultural income.”

Amendment.—That at the end of item 77 the following proviso be added :—

“ Provided that at least fifty per cent of the net proceeds shall be distributed among the Provinces and the Federal States in which the tax is levied, and that the distribution shall be made according to principles formulated by Act of the Federal Legislature.”

5. *Item 79—List I.*

“ 79. Duties in respect of succession to property other than agricultural land.”

Amendment.—That in item 79, the words “ other than agricultural land ” be *deleted*, and the following proviso be *added* at the end of the item :—

“ Provided that the net proceeds shall not form part of the revenues of the Federation but shall be assigned to the Provinces and to the Federal States in which the tax is levied, and shall be distributed among them according to principles formulated by Act of the Federal Legislature.”

6. *Item 80—List I.*

“ 80. Estate duty in respect of property *other than agricultural land.*”

Amendment.—That in item 80, the words “ other than agricultural land ” be *deleted*, and the following proviso be *added* at the end of the item :—

“ Provided that the net proceeds shall not form part of the revenues of the Federation but shall be assigned to the Provinces and to the Federated States in which the tax is levied, and shall be distributed among them according to principles formulated by Act of the Federal Legislature.”

7. *Item 81—List I.*

“ 81. The rates of stamp duty in respect of bills of exchange, cheques, promissory notes, bills of lading, letters of credit, policies of insurance, transfer of shares, debentures, proxies and receipts.”

Amendment.—That the following proviso be *added* at the end of item 81 :—

“ Provided that the net proceeds shall not form part of the revenue of the Federation but shall be assigned to the Provinces and to the Federated States in which the tax is levied, and shall be distributed among them according to principles formulated by Act of the Federal Legislature.”

8. *Item 82—List I.*

“ 82. Terminal taxes on goods or passengers, carried by railway or air ; taxes on railway fares and freights.”

Amendment.—That the following proviso be *added* to item 82 at the end :—

“ Provided that the net proceeds shall not form part of the revenues of the Federation but shall be assigned to the Provinces and to the Federated States in which the tax is levied, and shall be distributed among them according to principles formulated by Act of the Federal Legislature.”

That after item 82, the following *new item* be inserted :—

New Addition 82-A.

“ 82-A. Taxes on the sale of stock, shares, debentures and similar securities, provided that the net proceeds shall not form part of the revenues of the Federation but shall be assigned to the Provinces and to the Federated States in which the tax is levied, and shall be distributed among them according to principle formulated by Act of the Federal Legislature.”

9. *Item 41—List II—Provincial Legislative List.*

“ 41. Duties of excise on the following goods manufactured or produced in the Province and counter-vailing duties at the same or lower rates on similar goods manufactured or produced elsewhere in the territories of the Federation :—

(a) alcoholic liquors for human consumption ;

(b) opium, Indian hemp and other narcotic drugs and narcotics ; non-narcotic drugs ; and

(c) medicinal and toilet preparations containing alcohol, or any substance included in sub-paragraph (b) of this entry.”

Amendment.—That in item 41, the words “ the following ” and sub-paragraphs (a), (b) and (c) be *deleted*.

10. *Items 44 and 45—List II.*

“ 44. Duties in respect of succession to agricultural land. 45. Estate duty in respect of agricultural land.”

Amendment.—That items 44 and 45 be *deleted*.

11. *Item 50—List II.*

“ 50. Taxes on the sale of goods and on advertisements.”

Amendment.—That for item 50, the following be *substituted* :—

“ 50. Taxes on the sale of goods, and, subject to the provisions of List I, of services.

50-A. Taxes on Advertisements.”

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APPENDIX X.

[Vide item III, page 522 supra.]

L.A. BILL No. 26 OF 1947.

(As passed by the Assembly.)

A Bill to prohibit the alienation of communal, forest and private lands in estates in the Province of Madras.

Short title,
extent and
commence-
ment.

WHEREAS it is necessary to prevent the indiscriminate alienation of communal, forest and private lands in estates in the Province of Madras pending the enactment of legislation for acquiring the interests of landholders in such estates and introducing the ryotwari settlement therein; It is hereby enacted as follows:—

Definitions.

1. (1) This Act may be called the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Act, 1947.

(2) It extends to all estates in the Province of Madras governed by the Madras Estates Land Act, 1908. Madras Act I of 1908.

(3) It shall come into force at once.

2. In this Act, unless there is anything repugnant in the subject or context—

(a) “estate”, “landholder”, “private land” and “ryoti land” shall have the same respective meanings as in the Madras Estates Land Act, 1908, and “communal land” means any land of the description mentioned in section 3, clause (16), sub-clause (a) or sub-clause (b), of that Act; Madras Act I of 1908.

(b) “forest land” includes any waste land containing trees and shrubs, pasture land, and any other class of land declared by the Provincial Government to be forest land by notification in the *Fort St. George Gazette*;

(c) “impartible estate” means any estate included in the Schedule to the Madras Impartible Estates Act, 1904, or subsequently declared to be an impartible estate within the meaning of that Act, by an Act of the Legislature. Madras Act II of 1904.

Prohibition
of the
alienation of
communal,
forest and
private lands
in estates.

3. (1) Notwithstanding anything contained in any other law for the time being in force, no landholder shall sell, mortgage, convert into ryoti land, lease, or otherwise assign or alienate—

(a) any communal or forest land in his estate without the previous sanction of the District Collector, on or after the date on which the Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Ordinance, 1947, came into force, namely, the 27th day of June 1947, or Madras Ordinance II of 1947.

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(b) any private land in an impartible estate notified by the Provincial Government in the *Fort St. George Gazette*, in pursuance of this clause or the corresponding clause in the Ordinance aforesaid, on or after the date on which the estate was so notified :

Provided that private land in an impartible estate so notified may be leased for a period not exceeding two years.

(2) Any landholder who has contravened or contravenes the provisions of sub-section (1) and any agent of the landholder who has abetted or abets such contravention shall be punishable with imprisonment which may extend to two years, or with fine which may extend to five thousand rupees, or with both.

4. (1) Any transaction of the nature prohibited by section 3 which took place, in the case of any communal or forest land, on or after the 31st day of October 1939, and in the case of any private land in a notified estate, on or after the 1st day of November 1945, shall be void and inoperative and shall not confer or take away, or be deemed to have conferred or taken away, any right whatever on or from any party to the transaction :

Transactions of the nature specified in section 3 to be void. Savings.

Provided that nothing contained in this sub-section shall be deemed to invalidate—

(i) any such transaction in respect of any forest land entered into before the 27th day of June 1947, in favour of any religious, charitable or educational institution, or of any hospital, or of any local board, municipal council, or co-operative society registered or deemed to be registered under the Madras Co-operative Societies Act, 1932, or of any other public body or institution ;

(ii) any such transaction in respect of any private land entered into before the date on which the impartible estate in which the land is situated is notified as specified in section 3 (1) (b), in favour of any religious, charitable or educational institution, or of any hospital, or of any local board, municipal council or co-operative society registered or deemed to be registered under the Madras Co-operative Societies Act, 1932, or of any other public body or institution ;

(iii) any such transaction in respect of any forest or private land not exceeding twenty acres in extent, entered into, in the case of forest land, before the 27th day of June 1947, and in the case of private land, before the date on which the impartible estate in which the land is situated is notified as aforesaid ;

(iv) any such transaction in respect of any forest or private land exceeding twenty acres in extent, entered into

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before the respective dates specified in clause (iii), up to a limit of twenty acres chosen by the assignee or alienee, the choice being limited as far as possible to contiguous land;

(v) any such transaction in respect of any forest or private land entered into before the respective dates specified in clause (iii), in favour of an assignee or alienee in good faith and for valuable consideration.

(2) Any choice made under clause (iv) of the proviso to sub-section (1) shall be communicated to the Collector of the district or such officer as may be authorized by him, in the case of forest land within three months from the date on which this Act comes into force and in the case of private land, within three months from that date or from the date on which the impartible estate is notified as aforesaid, whichever is later.

(3) If any dispute arises as to the validity of the claim of any person to any land under clauses (i) to (v) of the proviso to sub-section (1), it shall be open to such person or to any other person interested in the transaction or to the Provincial Government, to apply to the District Judge of the district in which the land is situated, for a decision as to the validity of such claim.

(4) The District Judge to whom an application is made under sub-section (3) shall, after giving notice to all the other persons concerned in the transaction or interested in the land and also, where the application is not made by the Provincial Government, to the Provincial Government, decide whether the claim to the land is valid or not; and his decision shall be final.

(5) The Provincial Government may, by notification in the *Fort St. George Gazette*, make rules for the purpose of carrying the provisions of this section into effect, and in particular as to the fees to be paid in respect of the applications referred to in sub-section (3), and the procedure of the District Judge.

Power to
enhance
jurisdiction
of First-class
Magistrates
to impose
fines.

5. Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898, it shall be lawful for any Magistrate of the first class specially empowered by the Provincial Government in this behalf to impose a sentence of fine exceeding one thousand rupees for any offence under section 3. Central Act
V of 1898.

District
Collector to
sanction
prosecutions.

6. No prosecution shall be instituted under this Act against any person without the previous sanction of the District Collector.

Bar of
jurisdiction.

7. No notification or order of the Provincial Government or of the District Collector under this Act shall be liable to be questioned in any Court of Law.

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Madras
Ordinance
II of 1947.

8. The Madras Estates Communal, Forest and Private Lands (Prohibition of Alienation) Ordinance, 1947, is hereby repealed: Repeal and savings.

Provided that all notifications and orders issued under the said Ordinance and in force immediately before the commencement of this Act shall continue to be in force and be deemed to have been issued, and shall have effect as if they had been issued, under this Act :

Provided further that the repeal of the said Ordinance shall not affect any penalty or punishment incurred in respect of any offence committed against it or any investigation, legal proceeding or remedy in respect of any such penalty or punishment; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty or punishment may be imposed as if the said Ordinance had not been repealed.

9. If any difficulty arises in giving effect to the provisions of this Act, the Provincial Government may, as occasion may arise, by order do anything which appears to them necessary for the purpose of removing the difficulty. Power to remove difficulties.

வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

